

Executive Director's Report January 21, 2010 Council Meeting

Budget

- The budget report through November 2009 is included in the packet.
- DHH was instructed by the Division of Administration (DOA) to make mid-year budget cuts due to declining state revenue. DHH's plan to meet the targeted reductions is awaiting approval at DOA. A proposed reduction in the Council's state funds is included in this plan.

Membership Update

- The names of the individuals that were approved by the Council in October were submitted to the Governor's Office of Boards and Commissions.

Federal Fiscal Year 09 Program Performance Report (PPR)

- Our FFY 09 PPR is due to the Administration on Developmental Disabilities on January 1st. It will be submitted before we leave for the New Year's holiday.

Advocacy Activities

- Advocacy has continued for all authorized NOW slots to be filled before the end of this fiscal year. Information was provided to legislators on the Joint Legislative Committee on the Budget concerning the unfilled NOW slots resulting in intense interest and innumerable questions when DHH presented their report on the topic in November. While a clear directive was not given to DHH to immediately fill all available slots, several legislators expressed their displeasure that all slots had not been filled and their expectation that when money was appropriated for slots, they would be filled by the end of the fiscal year. A request was also made by legislators for additional information to be provided by DHH in January.
- A letter was sent to DHH requesting a meeting to discuss the lack of implementation of the DSP registry. This meeting is scheduled for January 8th.
- Advocacy has continued with Medicaid to allow DSPs to accompany an individual while they are an inpatient in a hospital. Vermont was identified as a state that may allow this service. Jerry Phillips has agreed to call Vermont to further explore the issue.
- Information was provided to members of Louisiana's Congressional delegation regarding the benefits of the CLASS Act and the Community First Choice (CFC) Option to people with disabilities. The Health Care Reform Bill that is expected to pass out of the Senate on Christmas Eve includes both of these provisions. The CLASS Act creates a national, voluntary disability insurance program that provides nonmedical services and supports the beneficiary needs to maintain independence. The CFC provides community-based services to Medicaid beneficiaries with disabilities in states which choose the option.
- Testimony was provided to the Streamlining Commission regarding their recommendation on developmental centers and other residential services operated by OCDD urging them to consolidate and close rather than privatize the centers.

- Facilitated a meeting between leaders of the Support Coordination Alliance and Kathy Kliebert and her staff to discuss issues/problems and suggested solutions in the support coordination system. Without intervention two support coordination agencies are at imminent risk of closing. OCDD will investigate whether the waiver certification process can be changed so the agencies can be reimbursed earlier in the process, improving their cash flow. Beginning in January, the two parties will meet on a monthly basis to resolve problems and improve the system.
- Letters were sent to all BESE members with specific recommendations regarding high school exit options for students with disabilities.
- Council staff participated in the Special Education Preschool Coordinators Update meeting and met with Dept. of Education (DOE) staff and LaTEACH to discuss issues with the inclusion of students with disabilities in the LA4 program. DOE staff shared that with reductions of state funds to support LA4 many LEAs may perceive a limited number of slots in LA4 available in their program. It was suggested that the Council consider advocating for inclusion in all early childhood settings (i.e., those funded by LA4, Title I, 8G, Local funds, IDEA).

Collaborative Efforts

Public Input

- This year we took the focus group concept directly to the source of input from individuals with disabilities – the People First annual meeting. We were able to talk to 32 people about the priorities they would like the Council to address in the next plan.
- We disseminated our public input survey to participants at the La. State Autism Conference who completed and returned it on-site. Our survey is also available year round on our website.
- The results of all input will be compiled and provided prior to the planning meeting in April.

State Interagency Coordinating Council (SICC)

- The SICC sent a letter to Jerry Phillips asking him to do everything in his power to urge CMS to approve the pending rate increase for family service coordination (FSC) agencies for the EarlySteps program. Without the expeditious approval of this rate increase the SICC fears that many FSC agencies will soon discontinue services. A rate increase from \$97 to \$130 was approved by DHH in September, 2008 but has not yet been approved by CMS.
- The SICC is assisting in the implementation of Teaming and Primary Provider Support Services across all program components within the current EarlySteps structure.

Autism ACT 648 of 2008 Task Force

- The Task Force met for the last time following positive news of insurance covering Applied Behavior Analysis for children with autism. Council staff surveyed every Board Certified Behavior Analyst (BCBA) in Louisiana to determine whether insurance carriers were credentialing them as providers and reimbursing them for services. Results from this survey revealed that the majority of insurance carriers

have covered not only services delivered directly by BCBA's but have also reimbursed for services provided by line therapists.

- Insurance carriers reimbursing for services provided by line therapists is in-line with recommendations and positions of the Council.

Autism State Team – Identification Subcommittee

- Procedures and protocols are being developed to recommend as guidelines in the screening, identification and support of students for autism. Initial discussions occurred in plans for training and technical assistance models that will build the capacity of pupil appraisal and support staff in instruments and processes that increase the identification of autism characteristics and develop knowledge and skills that lend to guiding effective programming.
- Council staff recommendations were accepted and council staff was requested to draft initial guidelines and recommendations for consideration.

DOE Special Education Director's Quarterly Update Meeting

- Information was shared regarding a change in jurisdiction policy. Local education agencies (LEAs) must pay for services for children served by another agency. The federal government considers the time children with disabilities are removed to alternative sites for disciplinary reasons as part of the 10 days of removal when defining LEAs that are discrepant.

Positive Behavioral Support Project (PBS) at Louisiana State University

- At the PBS Advisory committee meeting much discussion on building the universal interventions and activities occurred. Council staff recommended a shift in priorities and focus of activities toward addressing the needs of students who need more support than the universal practices provide. Considering the capacity in the state at the universal level and that PBS is funded exclusively through IDEA it is past time for these resources to be used to support students with disabilities.
- At the PBS Levels Determination Sub-Committee, Advisory Members agreed on the development of an outcome-based instrument that would simultaneously assess the level of implementation across all levels of PBS (i.e., from the universal to the individual student levels). Council staff recommended that the instrument and process include the implementation and/or capacity from the District instead of single schools. District implementation ensures sustainability over time and the integration of personnel to work with students at the tertiary levels.
- The group also discussed developing protocols for early identification of students at risk of needing secondary and/or tertiary level interventions. Council staff recommended using and/or refining probes used in Response to Intervention models already being practiced in schools. While LEA personnel agreed with this recommendation it was indicated that this was not 'within the scope of the current PBS contract.'

Louisiana Indian Education Association (LIEA)

- LIEA is seeking 7th – 12th grade American Indian students with disabilities for its 11th Annual Indian Youth Leadership Experience in order to increase the number of

students with disabilities who participate in the youth camp and other LIEA activities. Camp will be March 19 – 21, 2010 and the location is tentatively scheduled to be Uskichitto Retreat Center in Le Blanc, Louisiana.

Accessible Instructional Materials (AIM) Stakeholder meeting

- DOE staff reported success in putting in place a universal system that ensures students receive textbooks in formats they can use on the first day of school. Prior to this project students needing texts in alternate formats typically did not have them for a large majority of the school year thereby essentially denying them access to the curriculum.

Baton Rouge Job Fair

- The Council collaborated on the Baton Rouge Job Fair sponsored by La. Rehabilitation Services on October 22nd at the Louisiana Technical College. This job fair connected 396 job seekers with 22 employers. Similar job fairs were held throughout the state.

System Transformation Grant Housing Advisory Group

- The three targeted outcomes of the Long Term Care Systems Transformation grant include implementing a comprehensive quality management system; designing information technology applications to support individual-centered practices; and increasing the capacity of affordable and accessible housing. The grant is developing a way to link the information technology system to quality assurance by combining five databases into one database to electronically track consumers through the service delivery system.
- The focus of the remaining nine months of the grant will be to assist in training direct service providers to develop single and multi-family housing for their consumers.

BESE High School Redesign Commission

- Discussion indicated strong support by the Dept. of Education and other stakeholders that universally high academic standards are necessary whether a student is being prepared to be college or career bound. The implications are that the Career Diploma Option will have stringent criteria.
- In October, BESE approved the policy language for curriculum, switching pathways, and discipline for entrance requirements related to the Career Diploma. The High School Redesign Commission reported in November that Regional Delivery Teams will be created to deliver an array of supports and services to schools and districts according to what districts need in order to reach an 80% on-time graduation rate. Louisiana will continue to strengthen curriculums through alignment of College and Career Readiness Standards and Race to the Top to implement major reforms in school systems.
- In January, BESE will vote on the College and Career Readiness Policy to meet the goal of achieving an on-time graduation rate of eighty percent of freshman by 2014. Unfortunately, plans to achieve this graduation goal include putting students in

'tracks' based on academic attainment levels. This may limit students with disabilities from accessing opportunities for inclusion and building marketable skills.

- NOTE: On time graduation rate is defined as the percentage of students exiting high school with a diploma within 4 years of entering high school. Reference: <http://nces.ed.gov/pubs2010/2010313.pdf>
- Council staff presented the recommendations in the Council fact sheet on exit options for students with disabilities to BESE members and other members of the H.S. Redesign Commission. These recommendations were heard but not supported in discussions at the meeting.
- During the December Special Meeting, BESE recognized the Council's Inclusive Schools Art Contest for promoting disability awareness and inclusive education. BESE members were encouraged to view the art display of the 2009 winners that was set up outside the BESE meeting room at the Claiborne building.

LSU – La. State Improvement Grant (LaSIG)

- Council staff provided a presentation on the use of restraints and seclusion and corporal punishment to school personnel participating with LaSIG. LaSIG supports schools with implementing evidence-based practices.
- The LaSIG advisory committee reviewed a family involvement survey and offered feedback on increasing demographics to include data on grade level and special education participation as well as sharing guidelines with schools in effective strategies to administer and analyze the results. Discussion for the LaSIG 2011 application involved consideration of more of a targeted focus (i.e., drop out prevention, literacy and numeracy, alignment with Race to the Top grants, etc.). LaSIG's current approach uses a framework that does not prescribe any single initiative or direction but individualizing capacity building goals and outcomes based on each participating district's identified issues and needs.

Meetings Attended Since October 22, 2009

Conference Call with Sen. Landrieu re: FMAP crisis – October 28

Meeting with DHH Deputy Sec. Tony Keck re: DDC budget – October 29

Streamlining Commission re: privatization of developmental centers – October 29

Joint Legislative Committee on the Budget re: filling waiver slots – November 3

LaCAN Legislative Roundtable in New Orleans – November 4

State Interagency Coordinating Council (SICC) committee and council – November 18

Joint Legislative Committee on the Budget re: filling waiver slots – November 20

Conference Call with Sen. Donahue re: Streamlining Commission recs – December 2

TriAngle Editorial Board – December 2

Act 378 Sub-Committee Conference Call – December 3

National Assn. of Councils on Developmental Disabilities Conference Call – December 9

DDC Art Contest Awards Ceremony – December 9

Conference Call with DHH Dep. Sec. Tony Keck re: Mid-year budget cuts – December 14

Mtg. with Jerry Phillips, Kathy Kliebert & Kay Marcel re: DSP/hospital issue – December 16

Mtg. with Support Coordination Alliance, Kathy Kliebert, Kay Marcel – December 21