

**Concept Paper – Investigation of Louisiana Special Education Center
Presented to the Developmental Disabilities Council By the Advocacy
Center October 30, 2014**

Problem: There is a general lack of information about the Louisiana Special Education Center: How do people get placed there? How many residents are there at any one time? What is the average length of stay? Why do orthopedically challenged individuals need residential placement? What kind of educational opportunities are residents receiving? Where do residents typically go after they “age out” of the Center? Etc. Etc.

The Louisiana Special Education Center is a state facility under the jurisdiction of the State Board of Elementary and Secondary Education. It is a licensed Title XIX intermediate care facility. As stated on the Special Education Center’s website: *“The Center provides services for orthopedic and multi-challenged students ages 3 through 32 years. Eligible clients must have a primary diagnosis of orthopedic impairment. The Center is equipped to service the students with 12 months/24 hour care.”*

Proposal: The Advocacy Center proposes a two-pronged approach to an investigation of the LA Special Education Center: (1) Visit current residents of the Center to ascertain: how they got there; their legal status; their educational goals; whether they have been offered alternative placement in the community; etc. We will work directly with residents who are Wards of the State, or who are the age of majority and not interdicted or under a Continuing Tutorship. For those under the age of 18, or who have been interdicted, or under a Continuing Tutorship, we will seek permission from parents/guardians to speak with the residents. (2) The second prong of our approach involves the collection of background information on the Center that may become useful if we decide to challenge its existence. In addition to the questions posed in the Problem section above, we want to know: What are the Center’s origins? What is its budget? What are the political supports that keep the Center funded? In short, we want to know the forces that keep this seeming anachronism in existence. Once we fully understand why the Center exists, we will develop strategies to challenge its existence.

Anticipated Outcome: Our immediate goal is to help individuals, who wish to do so, leave the Special Education Center for a more integrated environment. Our more long-term goal is to convince policy makers that the Special Education Center is an outdated model that should be replaced with more integrated options.

Funding: We propose hiring one attorney to devote full time to this project. Obviously, many other staff already employed by AC will also contribute to the project, helping the Staff Attorney to strategize, problem solve, meet with residents, and so forth. But that support will be funded by other sources, i.e. the Protection and Advocacy for Persons with Developmental Disabilities, the P&A for Individual Rights, and the P&A for Assistive Technology, all federal programs. The cost of a full time attorney, with benefits, travel (\$5,000 to \$8,000) and related costs (space, supplies, etc.) is \$92,000.

Special Consideration: By virtue of federal law, the Advocacy Center is ideally positioned to access records of individuals where there is probable cause to believe there is abuse or neglect of that individual. Additionally, AC is charged with advocating for the rights of individuals, including the right to live in the most integrated setting. Federal law states that the AC should use legal, administrative and all other appropriate means to insure these rights.

Update

The Ad hoc Committee recommended funding for \$54,000.