

**Executive Director's Report**  
**April 20-21, 2016 Council Meeting**

**Budget**

- The budget report with expenditures through February 2016 is included in the packet.

**New Funding Formula for State Councils on Developmental Disabilities**

- The Administration on Intellectual and Developmental Disabilities (AIDD) is revising the funding formula for DD Councils and Protection and Advocacy Systems. Congress requires the use of the following three factors in the formula, but discretion is provided in defining and weighting these factors:
  - total population of the state/territory;
  - needs for services for persons with DD in the state/territory;
  - financial need of the state/territory.
- AIDD formed a workgroup to closely examine all of the options and has proposed a formula that if put into effect today, would not change Louisiana's allotment.
- The National Association of Councils on DD provided feedback to AIDD stating that the proposed formula meets its goal of being clear, concise, transparent, and consistent with Congressional intent, with the caveat that AIDD should examine the amount of funding that is provided for minimum allotment states/territories.

**Federal Allotment**

Congress approved a slight increase in funding for DD Councils at the very end of 2015. On February 4, 2016 we received notice from AIDD that our state allotment would be increased to \$1,375,723 for the current federal fiscal year. This is an increase of \$17,740.

**Membership Update**

- Randall Brown, Carmen Cetnar, Robert Paddy, Bambi Polotzola, and Tara Smith were appointed by the Governor to the Council on February 29<sup>th</sup>.
- Stephanie Patrick, Phil Wilson, and Jamie Wong were all reappointed on that same date.

**Council Retreat**

- The first-ever Council retreat was held prior to the January Council meeting to improve the Council's effectiveness and for Council members to have an opportunity to bond as individual members.
- The evaluation results were overwhelmingly positive with the majority of participants requesting some type of Council retreat be held on a regular basis.

**Ad Hoc Committees**

Two ad hoc committees met this quarter:

- A **LaCAN/LaTEACH Merger Ad Hoc Committee** met to develop strategies to improve the leadership and infrastructure of the Council's grassroots advocacy networks prior to the merger on October 1<sup>st</sup>. Recommendations were made to improve leader recruitment, retention, knowledge and skill level, and strengthen the structure of the network.
- The **Planning Ad Hoc Committee** met to develop recommendations for Federal Fiscal Year (FFY) 2017 plan activities. These will be considered by the full Council at the April meeting.

**Advocacy Activities and Provision of Information**

- Nine Regional Legislative Round Tables were held across the state with a total of 454 participants and 28 legislators or legislative assistants participating. Sixteen Council members

attended. Council staff attended all of these events and presented the information on the State-of-the-State in individual and family supports, employment, and education.

### Community Supports

- Yellow shirt days were held at the Capitol throughout the Special Session with 124 LaCAN members in attendance to communicate the importance of identifying revenue to save the home and community-based service system. Multiple members were supported in providing testimony at several legislative committee meetings. LaCAN recorded 1,000 confirmed actions by members to legislators regarding the budget/revenue during the Special Session.
- One yellow shirt day was held during the Regular Legislative Session with 19 in attendance to communicate the need to restore cuts to a number of programs for people with disabilities. Our LaCAN members were publicly recognized by legislators and DHH officials at the committee meetings during both the special and regular sessions.
- A fact sheet was developed to reflect the need for additional revenue to restore cuts announced in the Governor's proposed FY17 budget. Additional fact sheets were developed after the Special Session to reflect the updated cuts to services.
- Information on the impact of budget cuts to services for people with developmental disabilities was provided to the Senate Finance Committee on March 2<sup>nd</sup>.
- Advocated/discussed the following issues in the Council's quarterly meeting with former Department of Health and Hospitals (DHH) Deputy Secretary Hugh Eley:
  - Concern that with the exception of Jefferson Parish, the legislation that created all of the other Local Governing Entities (LGEs) does not require equal representation of all three service areas on their governing boards.
  - What it would take to give the Office for Citizens with Developmental Disabilities (OCDD) programmatic oversight of the ICFs/DD.
  - Capital Area Human Services District (CAHSD) reports its budgeted Act 378 funds differently than all the other LGEs and this makes it difficult for the Council to make informed decisions regarding our advocacy efforts.
  - The transition to the new administration.
- Several meetings have been scheduled with the new DHH Secretary but have been cancelled.
- Advocated with DHH leadership for the need for training on Act 378 principles for the staff in the Local Governing Entities (LGEs)
- Provided information on Medicaid copayments in a LaCAN Alert.
- Advocated for the needs of people with developmental disabilities in relation to Managed Long Term Supports and Services in a meeting with Representative Walt Leger and other advocates.

### Education

- Purple shirt days were held at the Board of Elementary and Secondary Education (BESE) and Special Education Advisory Panel (SEAP) meetings with 21 LaTEACH members advocating on a variety of education policies including school funding, monitoring of Special Education services, use of restraints and seclusion, and achievement standards.
  - Provided BESE information related to:
    - Language in the Proposed 2017 Minimum Foundation Program (MFP) and how there is a lack of consistency between:
      - Language in MFP and state law;
      - Language across sections within the MFP;
      - Language in the MFP and actual calculations used to determine funding for certain types of schools.
- BESE agreed to have the MFP Task Force review these recommended language changes for future MFP proposals.
- Inaccuracies in a report on the La. Scholarship Program related to the cost of serving students. Since private schools receiving these funds do not serve a proportionate

share of students with disabilities, particularly students with the highest cost needs, Council staff indicated the more appropriate calculation would be differentiated based on the needs of the students served, not an average cost as LDOE had computed. The difference in calculation would shift from LDOE's claiming the program is saving Louisiana \$23.6 million to Council staff's estimation the program is costing Louisiana approximately \$8.8 million more than if the students were served in public schools. BESE agreed with Council staff and voted to not accept the report and directed Superintendent White to not disseminate any information in the report until it is reviewed and approved by BESE.

- Expressed appreciation for proposal to count diplomas of students on LAA-1 in the graduation index of school performance scores.
- Provided Special Education Advisory Panel (SEAP) information on two occasions related to:
  - Recommended SEAP request specific initiatives and amounts of funding within each of the categories in the FFY16 IDEA Part B grant application.
  - Shifts in IDEA Part B budget across various categories and letter from U.S. DOE placing Louisiana on 'high-risk status' for, in part, not having alternate assessments aligned with standards.
  - Lack of any impact of Act 833 (2014) on graduation rate increases presented in the Annual Performance Report (data from the 2013-2014 school year).
  - Supported parents testifying regarding LDOE's implementation of Act 328 (2011) related to the use of restraints and seclusion practices in schools.
- Met with LDOE Superintendent White, Jamie Wong, and BESE member Kathy Edmonston regarding planning for addressing behavioral issues and enhancing stakeholder input with educational initiatives and decisions.
- Provided information to Superintendents' Advisory Council related to issues with using norm-referenced cut scores relative to student performance on standardized assessments to make determinations of success or failure relative to districts, schools, teachers and students.
- Provided information related to charter school enrollment regarding students with disabilities to Senate Education committee on March 29<sup>th</sup>.
- Sent a letter in support of the LA Department of Education's application to the U.S. Department of Education to fund a State Personnel Development Grant (SPDG).
- Sent a letter of support for the Pyramid Parent Resource Center's application to the U.S. Department of Education's Office of Special Education Programs for parent training in underserved areas.
- Submitted comments to LDOE on the draft Child Care and Development Fund (CCDF) Grant State Plan:
  - Supporting the recommendations of the Inclusion Workgroup and the LDOE ad hoc committee for the Child Care Assistance Program (CCAP) process and Special Needs rate. The Inclusion Workgroup had developed a CCAP process based on individualized need according to the Individualized Family Support Plan (IFSP).
  - Recommending the CCDF plan include the coaching piece in professional development training and technical assistance for childcare providers to better support children with disabilities.
  - It appears that these recommendations were included in the plan that was submitted. Read the [CCDF Grant State Plan 2016-2018](#).

## Employment

- Presented information to the Dow Chemical Disability Employment Network on the Council and its initiatives and federal/state employment programs.
- Included information on the proposed devastating cuts to LA Rehabilitation Services in the Council's fact sheets and action alerts.

## General

- Provided information through LaDDC News on the following:
  - Impact of Elementary and Secondary Education Act (ESSA) on Students with Disabilities in LA
  - How Budget Cuts Will Affect DD Services
  - Regional Advocacy Workshops
  - Announcement of the Council's Annual Report, Advocacy Leader Job Opportunities, and Solicitation of Proposals
- Provided information through Facebook on various issues of interest to people with developmental disabilities and their families.

## **Collaborative Efforts**

### OCDD Mortality Review Committee

- Of the 55 cases reviewed this quarter, the Committee requested additional information for six and noted no issues related to potential abuse/neglect.

### Louisiana Rehabilitation Council (LRC)

LRC agreed to:

- Renew its request to be given the opportunity to provide input regarding development of the Workforce Innovation Opportunities Act (WIOA) Combined State Plan prior to the public comment period
- Send a letter to the DHH Secretary supporting OCDD's transition plan to implementing the Home and Community-Based Services settings rule for nonresidential settings.

### Governor's Advisory Council on Disability Affairs

- Shared ideas for short and long-term goals for the Governor's Office of Disability Affairs
- Identified the need for greater accessibility at the Capitol, specifically for individuals who use wheelchairs and those who are deaf or hearing-impaired

### Human Development Center (HDC) Consumer Advisory Council

- Provided input on HDC's five-year plan on issues related to adult services, early childhood, school age, and transition/employment.

## **Meetings Attended (by Executive Director) Since January 1, 2016**

Meeting with Hugh Eley, Mark Thomas, Delery Rice, Michelle Hurst – January 4

OCDD Direct Support Professional (DSP) Partnership – January 4

Meeting with OCDD, Office of Behavioral Health re: Act 378 training for LGEs – January 5

Governor's Press Conference on Healthcare – January 12

Meeting w/ Mark Thomas, Scott Meche, Jan Kosofsky re: CAHSD Act 378 funding – January 13

Phone conference with Sheryl Matney re: Retreat Planning – January 13

Council meeting and retreat – January 19-21

Legislative Roundtable in Lafayette – January 25

Legislative Roundtable in Lake Charles – January 26

Legislative Roundtable in Baton Rouge – January 29

Legislative Roundtable in Gray – February 3

Legislative Roundtable in Monroe – February 4

Executive Committee – February 5

DD Network Collaboration – February 15

Meeting with Support Coordination Alliance re: Self Direction – February 16

Meeting with Steve Spires, Governor's Health Policy Advisor – February 16

Planning Ad Hoc Committee – February 24

House Ways and Means Committee/Yellow Shirt Day – February 25  
Governor’s Briefing – February 25  
Senate Finance/Yellow Shirt Day – March 2  
OCDD DSP Partnership – March 3  
Meeting with Rep. Falconer, Brenda Cosse/House Yellow Shirt Day – March 3  
Executive Committee – March 8  
LaCAN/LaTEACH Merger Ad Hoc Committee – March 10  
Meeting with Rep. Leger re: HB 790 – March 16  
House Health and Welfare Committee re: HB 498 – March 23  
Governor’s Press Conference re: Budget – March 24  
Meeting with parents re: Pediatric Day Health Centers and advocacy – March 28  
House Appropriations Committee/Yellow Shirt Day – March 29