

**GOVERNOR'S COUNCIL ON DISABILITIES AND SPECIAL
EDUCATION MEETING**

Anchorage, Alaska October 1 - 2, 2014

October 1, 2014

Council Members Present:

Jill Burkert
Anthony Cravalho
Art Delaune
Don Enoch
Angelina Fraize
Dean Gates
Jeanne Gerhardt-Cyrus
Alex Gimarc
Taylor Gregg
Heidi Haas - Telephonic
Mallory Hamilton
Alexis Henning
Tara Horton
Susan Kaplan
Terese Kashi
Christine King
Margaret Kossler
Kaleene Lamb
Karli Lopez
Ric Nelson, Chair
Sean O'Brien
Lelia (Lucy) Odden
Amy Simpson

Council Staff:

Teresa Holt, Executive Director
Patrick Reinhart, Planner III
Richard Sanders, Program Coordinator II
Brittney Howell, Research Analyst III
Christie Reinhardt, Program Coordinator I
Kristin Vandagriff, Program Coordinator I
Michelle Jenkins, Administrative Assistant I
Ian Miner, Office Assistant II
Lanny Mommsen, Health Program Manager I

CART Provided by Lenny DiPaolo, Peninsula Reporting
Minutes Prepared by Paula DiPaolo, Peninsula Reporting

Wednesday, October 1, 2014

CALL TO ORDER/ROLL CALL – 8:30 a.m.

INTRODUCTIONS

Council members introduced themselves and welcomed new members Jill Burkert, Anthony Cravalho, and Mallory Hamilton.

ANNOUNCEMENTS AND GOOD NEWS

Lucy Odden announced that she will be going up to Fairbanks next week to work in the Arctic National Wildlife Refuge.

APPROVAL OF THE AGENDA

Amy Simpson **MOVED** to approve the amended agenda. The motion **PASSED**.

APPROVAL OF THE MINUTES

Prior to anyone making a motion on approval of the minutes, **Karli Lopez** questioned follow up by the Council on action items presented in the previous meeting minutes, such as telepractice, and ensuring the Council completes tasks they stated they are going to do. **Teresa Holt** informed **Karli** that the committees have added telepractice to their agendas, and **Brittney Howell** has been doing significant research into the area of telepractice for the various committees. **Karli Lopez** reiterated that there needs to be a way to track action items for the Council so that the work they've done doesn't get lost between meetings.

With no motion to approve the minutes, a **SECOND** was put forth by **Jeanne Gerhardt-Cyrus**. **Chair Nelson** declared the minutes **APPROVED**.

CONFLICT OF INTEREST DECLARATIONS

No Council members had conflicts of interest to declare.

DHSS RESULTS-BASED ACCOUNTABILITY (RBA) PLAN

Commissioner Streur stated that results-based accountability planning is working the Department towards recording and measuring everything that they do, and also looks at how well they are doing it as the Department looks ahead to significant budget deficits. He stated that the Department is in a better position now than any other department in the State to talk about what effects the budget deficit and cuts will have to the services they provide because they have compiled the data and measure everything they do.

The Commissioner stated that results-based accountability within the Department has been going on for approximately three years with Tara Horton's efforts in forwarding this project. He stated that RBA is a management framework that promotes fiscal and programmatic responsibility within each

division in the Department, and it requires that the divisions work together towards common overarching goals. The framework enables the Department to measure its impact on the health and well being of Alaskan individuals and families. It's a means for the Department to delivery quality services while making the best use of public options through results-based budgeting. Measuring and improving agency performance is imperative to provide the right care to the right person at the right time for the right price.

Tara Horton directed Council members to the handout entitled "Results-Based Accountability," and led them through a discussion of the contents. She stated that the Department has been focused on performance accountability, and noted that results-based decision making, measuring program performance, and results-based budgeting will fulfill the Department's three priorities of achieving health and wellness across the lifespan; providing health care access, delivery, and value; and promoting safe and responsible individuals, families, and communities.

Tara Horton reviewed the timeline of events and activities undertaken through this initiative. She stated that underneath the three main priorities for the Department, seven Department core services were established:

- Protect and promote the health of Alaskans
- Provide quality of life in a safe living environment for Alaskans
- Manage health care coverage for Alaskans in need
- Facilitate access to affordable health care for Alaskans
- Strengthen Alaskan families
- Protect vulnerable Alaskans
- Promote personal responsibility and accountable decisions by Alaskans.

Under each of these core service areas, objectives were established, and then underneath those objectives they established performance measures. Each division within the Department was assigned the responsibility of these performance measures, and each division then developed their own division core services. She then reviewed her handout of examples of those core services and how they relate back to the Department's goals.

Tara Horton directed Council members to the last page of the handout, which contains scorecards for the Department priorities. Commissioner Streur added that when they first measured and developed the scorecard, the Department was surprised to find that they weren't actually performing as well as they thought they were. He stated that he looked at this as an opportunity to know their weaknesses and determine how they can do better. He stated that this is a powerful tool for them to reinforce what they need to do. He stated that the only way they can get better and do better is to collaborate with their partners, and he encouraged Council members to join with them in their efforts.

Tara Horton then fielded questions from Council members. She stated that the more detailed report can be found on the DHSS website and concluded her report.

COUNCIL ORIENTATION

Chair Nelson led the Council members through the Council orientation presentation as follows:

The Work of the Council

- State Council on Developmental Disabilities
- State Advisory Panel on Special Education
- State Interagency Council on Infants and Toddlers with Disabilities
- Governing board of the Special Education Service Agency
- Beneficiary board of the Alaska Mental Health Trust Authority.

Council Committees

- Developmental Disabilities
- Education
- Early Intervention
- Legislative
- Employment and Transportation
- Medicaid Reform Ad Hoc
- FASD Work Group.

Roles of the Committees

- Each committee has a chair.
- Council members must be on at least one committee.
- Committees meet once a month.
- Local members are strongly urged to attend meetings in person to save on teleconference expenses.

Council Member Responsibilities

- Develop, implement, and monitor the State Plan
- Set annual priorities
- Develop annual work plans
- Evaluate Council activities and outcomes
- Focus resources and activities
- Provide clear policy direction
- Hire, supervise, and evaluate executive director
- Safeguard staff employment.

Responsibilities of Committee Chairs

- Call meetings
- Set agendas
- Preside at meetings
- Operate and conduct operations and business according to Council priorities and resolutions
- Develop annual work plans
- Establish work groups to meet annual work plan goals and objectives.

Council Staff Responsibilities

- Assist Council/committee members in effectively carrying out their responsibilities
- Provide management assistance
- Provide planning and research assistance
- Coordinate and facilitate meetings
- Maintain ongoing relationships with State agencies, providers, and consumer groups
- Represent the Council's views and priorities
- Ensure compliance with state and federal law.

Duties of Council Members

- Advocate, responsible for planning, monitoring, building capacity, making systems change, and advocating for services and supports for the following groups/individuals: Infants and toddlers with disabilities, people with developmental disabilities or other substantial disabilities, and students receiving special education services.

Priority of the Council Members

- Council members should continually educate themselves about the Council as a whole and not just one specific area.
- Meetings are to be a priority to each and every Council member.
- Council members need to be educated about the Council priorities so they can relay the messages to their communities.
- Healthy debate is welcomed.

People First Language

- A disability is not the person.
- People first before the disability.
- Do not talk about the disability without the person's permission or consent.
- Do not use the word "handicapped." The politically correct term is "disabled" or "a person with a disability."

Council members engaged in a discussion regarding people first language, and **Dean Gates** informed Council members that the term "hearing impairment" is antiquated. The correct terminology is "deaf," "person with a hearing loss," or "hard of hearing." **Christine King** added that the same is true for people with low vision or people who are blind. "Visual impairment" is no longer the correct terminology. **Dean Gates** stated that hearing impairment and visual impairment are still in some of the state regulations and statutes, and it may be something that needs to be changed. **Terese Kashi** agreed that antiquated terminology in the education regulations for special education may also need to be addressed. **Brittney Howell** stated that the list of appropriate terminology can be found on the Council's website. **Teresa Holt** will print that list to present to the Council for this meeting.

Robert's Rules of Order

Chair Nelson led the Council members through an orientation of the pertinent components of Robert's Rules of Order including: How to make a motion, how to amend a motion, how to call for the vote, how to table a motion for consideration at the next meeting, how to suspend the rules, and how to adjourn the meeting.

Alex Gimarc noted that there was not an official vote on the approval of the agenda or the last meeting minutes.

EXECUTIVE DIRECTOR TRANSITION PLAN/HIRING PROCESS DISCUSSION

Amy Simpson informed the Council that Teresa Holt has resigned her position at the Council, which means the Council is responsible for hiring a new executive director. The Executive Committee received some guidance from Tara Horton on the process and the options for hiring a new executive

director. The position is considered partial exempt, which means they are not required to follow the rigid hiring practices of the State of Alaska. There are three options for hiring a new executive director as follows:

1. The Council can hire within the Council staff the next executive director. That entails the entire Council putting forth the name of that individual to the Commissioner, and so forth. **Patrick Reinhart** has expressed interest in this position.
2. The Council can post the position within Alaska as an in-Alaska hire. The position would be posted for 10 days and would be open to all State employees and individuals who are residents of Alaska.
3. The Council can open the position for 14 days to all applicants worldwide.

Amy Simpson reported that the discussion this morning in executive session through the Executive Committee highlighted that the last time they posted the position worldwide, they encountered issues and difficulties with applicants outside of Alaska, and no interviews came to fruition. The final vote from the Executive Committee was to do an all-Alaska post for 10 days; however, it is the will of the full Council to vote on how they want to proceed.

Lucy Odden MOVED that the Council choose the first option where they recommend the executive director from the current Council staff. **Dean Gates SECONDED** the motion.

Karli Lopez MOVED that the full Council convene in executive session. **Christine King SECONDED**. The motion **PASSED**.

The Council convened in executive session.

Upon conclusion of executive session, **Dean Gates MOVED** that the Council table **Lucy Odden's** motion until right before lunch tomorrow and continue discussion at that time. **Lucy Odden SECONDED**. A vote was taken with 12 out of 21 in favor of accepting the motion. The motion **PASSED** by a majority vote, and the discussion was tabled until the next day's meeting.

Council members engaged in a discussion on needing further information prior to tomorrow's reopening of the discussion, and **Teresa Holt** stated that she will provide Council members a copy of the transition policy.

CHAIR'S REPORT

Chair Nelson reviewed the names of the members of the Executive Committee and welcomed new Council members Jill Burkert, Anthony Cravalho, and Mallory Hamilton.

Chair Nelson stated that he attended the Trust meeting in Fairbanks to talk to them about the failure of the MMIS system and how providers and families are getting hurt by the system. He also met with the Commissioner and the Alaska Mental Health Trust. He further met with the Commissioner regarding the MMIS system to determine what he talked to the Trust about.

Other events and meetings **Chair Nelson** attended include:

- Attended the signing of the Employment First legislation by the Governor
- Attended the signing of the Restraint and Seclusion legislation by the Governor
- Attended the ITACC and NACDD conference July 7 - 10
- Attended the Alaska Mental Health Trust planning meeting
- Attended the Home and Community-Based Services Conference September 15 – 18.

EXECUTIVE DIRECTOR'S REPORT

Teresa Holt began her report by welcoming Britteny Howell, the new research analyst to the Council. She stated that **Britteny** has already done a lot of work updating the Council's website, and will be looking at doing a social media plan. **Teresa Holt** also welcomed **Kristin Vandagriff's** new daughter, Isabella.

Teresa Holt stated that there have been changes to the federal 1915(c) waiver regulations that were effective on March 17, 2014. She highlighted the changes as follows:

- Emphasis on quality of life for recipients of waiver services.
- Person-Centered Planning:
 - Clear separation of service planning and service provision
 - New requirements for documentation of options offered to the recipient
 - Real choice for recipient free from pressure and undue influence
 - Person-centered planning process:
 - Led by the recipient and/or with their representative as defined by the recipient
 - Reflect cultural considerations
 - Documents the options offered and considered by the individual
 - Plan signed by all and distributed.
- Conflict-Free Care Coordination:
 - Complete separation of service planning and service provision
 - Prohibition on any agency providing both to the same individual
 - There will be no acceptable degree or percentage of financial or organizational affiliation between agencies that will allow provision of care coordination and service provision unless there is only one qualified agency in a geographic location.
- Home and Community-Based Setting (HCBS) requires the State to verify that all recipients of HCBS receive those services:
 - in integrated community settings;
 - selected by the recipient from among setting options including non-disability specific settings;
 - appropriate to their needs;
 - with full access to the benefits of community living. Full access means to the same degree of access as individuals not receiving HCBS services, including opportunities to seek employment and work in competitive, integrated settings; engage in community life; control personal resources; and receive services in the community.

- Qualities of a HCBS include:
 - Physically accessible
 - Choice of roommates
 - Freedom to furnish and decorate
 - Freedom and support to control schedules and activities
 - Access to food at any time
 - Visitors at any time.
- HCBS in provider-owned or controlled residential settings, the following additional conditions must be met:
 - Must be rented or occupied under a legally enforceable agreement
 - Same protections from eviction under the landlord/tenant law
 - Privacy in sleeping or living unit
 - Entrance doors lockable by the individual.
- Never allowable as HCBS settings:
 - Nursing home/facility
 - Institution for mental disease with 16+ beds
 - ICF/IDD
 - Hospital
 - Any setting co-located with or immediately adjacent to an institution
 - Any other location that isolates individuals from the broader community.

Teresa Holt stated that Alaska is already ahead of the curve on a lot of these changes, but one of the most dramatic changes that will take place involves the conflict-free care coordination and the impact to provider agencies.

Alaska's next steps to compliance include:

1. Assess providers on the basis of HCBS regulatory criteria.
2. Determine setting's level of conformity to HCBS characteristics.
3. Develop a transition plan.
4. Provide opportunity for public comment.

Teresa Holt explained that the DD Committee has been following this issue, and they will let the Council know when the plan from the State comes out. The Council will provide formal comments when it comes out for public testimony, but she encouraged individual Council members to send in their own personal comments if they are recipients of waiver services.

Teresa Holt also recommended that Council members participate in the webinars put on by the Autistic Self Advocacy Network. She stated that the first webinar she attended was of very high quality regarding this topic. She encouraged Council members to spread information on this topic out to their communities. People with questions can feel free to contact either the Council, the Autistic Self Advocacy Network, or the Division of Senior and Disability Services.

BUDGET REVIEW

Teresa Holt led the Council members through a review of the budget spreadsheets contained in the

binders and fielded questions from Council members.

EMPLOYMENT FIRST IMPLEMENTATION

Rich Sanders led the Council through a presentation regarding the implementation of the Employment First legislation as follows:

Employment First in the general workforce is the first and preferred outcome in the provision of publicly funded services for all working age citizens with disabilities, regardless of level of disability. Alaska law requires the departments of Education and Early Development, Labor and Workforce Development, and Health and Social Services to report annually to the Trust on progress made in implementing Employment First in their systems.

Employment First Implementation

- Summer 2013 – Council submits grant application, which includes efforts to get an Employment First bill passed.
- Fall 2013 – Representative Charisse Millett begins work on an Employment First bill.
- January 2014 – Legislation introduced, HB 211.
- April 2014 – Joint CSHB 211 passes unanimously.
- May 2014 – Governor Parnell signs CSHB 211 into law.
- September 2014 – Initial meetings with department representatives and partners to determine next steps and annual reporting measures to the Trust.
- October/November/December – Meetings with directors, commissioners, the Trust, and the Governor’s office.

Other Considerations for Employment First

- Opportunity to bring together all State entities on a unified employment services plan for people with disabilities.
- Clear definitions for employment services, outcomes, and rate structures.
- Common provider qualifications and standards across disability service systems.
- Statewide Ticket to Work partnership.
- Potential to partner with housing and transportation programs.
- Opportunity for development of promising new programs such as peer-to-peer supports, expansion of natural supports in all stages of life, and social enterprise.

Elements of a High-Performing Employment System:

- Leadership
 - Champions from the top to front-line staff
 - Employment as an expectation for all
 - Dedicated employment program staff
 - Network of stakeholders continually works toward furthering employment efforts.
- Strategic Goals and Operating Policies
 - Employment First legislation
 - Common definitions of employment and employment services

- Addressing employment is mandatory
- Matrix of services
- Transition services and MOUs between agencies.

- Financing and Contracting Methods
 - Funding supports employment services more than other services
 - Seamless cooperation between Vocational Rehabilitation and Senior and Disability Services
 - Provider qualifications and rates are similar across agencies and systems.

- Training and Technical Assistance
 - Identify approved training and assist with funding staff to attend
 - Agreed upon staff qualifications and competencies across agencies
 - Assist agencies with transitioning to more employment programs and services
 - Statewide “Employment Institute.”

- Interagency Collaboration and Partnership
 - Alaska Mental Health Trust Authority Employment Work Group for the Beneficiary Engagement and Employment Focus Area.
 - May 2014 Trust Employment Stakeholder Meeting
 - Interagency Memorandums of Agreement
 - Deeming of provider services
 - Developing seamless transition between agencies
 - Employer engagement and partnership.

- Services and Service Innovation
 - Access to benefits, work incentives, and financial counseling
 - Expansion of employment options in State services including self-employment and subsistence
 - Development of clear service definitions
 - Development of policies and strategies for flexible support models.

- Performance Measurement and Data Management
 - Establish core set of data
 - Implement core data across systems
 - Establish definition of employment outcome across systems
 - Assist the Department of Education and Early Development with expansion of Indicator 14 measures to support Employment First efforts.

Rich Sanders fielded questions from Council members and concluded his presentation by stating that he looks forward to presenting Council members at their January meeting the results of what the different State agencies are reporting they are doing to implement Employment First.

BYLAWS DISCUSSION

Art Delaune asked for an addition to the agenda to discuss revisiting the Council bylaws. He stated that as a result of some of the things that have happened over the past few years, he feels the bylaws are a bit antiquated, in particular in the areas of the responsibilities of the Executive Committee as opposed to the full Council and voting on topics between meetings. He suggested that the Executive Committee appoint a bylaws committee, which can then make recommendations to the Executive Committee prior to presentation to the full Council, for then the full Council to continue with the normal process of amending the bylaws.

Amy Simpson suggested that they ask Foraker or another entity very experienced in the creation of bylaws to assist with this process.

Teresa Holt suggested consulting with the Alaska Brain Injury Network, because they are currently doing this with Foraker, to see what their experience is. She stated that staff can also investigate other resources to then bring back to the Executive Committee.

Council members who volunteered to participate in a bylaws subcommittee include: **Art Delaune, Dean Gates, Anthony Cravalho, Ric Nelson, Amy Simpson, and Lucy Odden.** **Dean Gates** also suggested adding **Dave Fleurant** to the committee.

RECESS

The meeting recessed at 4:52 p.m.

PUBLIC TESTIMONY

Public testimony was heard, and a full transcript was prepared.

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Lanny Mommsen, Health Program Manager I

CART Provided by Lenny DiPaolo, Peninsula Reporting
Minutes Prepared by Paula DiPaolo, Peninsula Reporting

Thursday, October 2, 2014

CALL TO ORDER/ROLL CALL – 8:30 a.m.

EMPLOYMENT AND TRANSPORTATION COMMITTEE REPORT

Lucy Odden gave the report for the Employment and Transportation Committee as follows:

Progress on Employment Goals

5.1.1 Oversee implementation of the Employment First Act.

- Alaska APSE Chapter started.
- Meeting with State officials beginning.
- SDS new data system will collect employment data.

5.1.2 Increase employment of youth with disabilities in transition from school to adult life.

- Job clubs
- Support the four Project SEARCH sites.
- Working on starting four transition sites in Anchorage, Mat-Su, Nome, and Fairbanks.
- Develop a sustainable TAPESTRY model as the CHD's grant winds down.

5.1.3 Work with the Center for Human Development, the Trust, and other partners to increase provider capacity for employment services and supports.

- Continuing to offer training to providers on customized employment, PASS Plans, and self-employment.
- Two-tiered benefits analysis training is being created with the Center for Human Development.
- DD 101 training.
- Continue to work closely with the Trust on beneficiary planning.

5.1.4 Advocate for changes in the State's I/DD Home and Community-Based Services and Medicaid around supported employment services.

- Continue to support members in giving feedback.
- Work through the AIEI grant with the Policy and Regulations Team.
- Provided public comment on three federal regulations.

5.1.5 Increase the use of the Provisional Hire Program as a trial work period for qualified persons with disabilities that can be turned into permanent hire.

- DVR Provisional Hire Program had 11 hires this past year.

5.1.6 Work with partners to develop and implement a plan to double the number of individuals with intellectual and developmental disabilities who are employed by 2016.

- Increased benefits planning resources.
- Participated in job fairs and had event tables to distribute resources.
- Have a page for employment and transportation on the Governor's Council website that is very comprehensive.
- Worked to continue to engage businesses. Will be working with the Society of Human

Resource Managers to partner with them for their 2015 conference. Will be co-sponsoring keynote speaker Erin Riehle, the national director of Project SEARCH. Will also give an award at the conference to a business that has been really successful in hiring and retaining people with disabilities. Continue to work with the Alaska Processing Industries Career Consortium as well as the local and state Chambers of Commerce.

- Continue to support Peer Power in their participation at the October 16 UAA job fair.
- Working to plan a job fair specifically for federal contractors on employing people with disabilities.

5.1.7 Increase opportunities for individuals with disabilities to become self-employed using the microenterprise program.

- Continue to review applications and get the word out about the program, particularly in the developmental disability community.

Progress on Transportation Goals

4.1.1 Monitor transportation changes in Medicaid and waiver regulations/policies.

- Offered public comment on the Medicaid waiver regulations this past summer.
- Continue to work with the Alaska Mobility Coalition to monitor changes.

4.1.2 Advocate for accessible taxi options in communities around the state.

- Continue to work with the Alaska Mobility Coalition on this issue statewide.

4.1.3 Provide technical assistance to help communities establish coordinated accessible transportation options.

- Continue to participate in the Alaska Mobility Coalition efforts and Anchorage Wings for Autism with TSA and The Arc of Anchorage, as well as seeing if setting etiquette for working with people with disabilities can be established for TSA.

Upcoming Activities

- Employment First implementation
- Enhanced transition service sites
- Increased employer engagement
- SDS data system to collect employment data
- 2-Tier Benefits Training and DD 101
- Continued collaboration with the Trust Beneficiary Employment and Engagement Focus Area
- Advocate for increased transportation options in the HCBS waiver.

Susan Kaplan stated that she received a call from someone from UAA regarding hiring people with disabilities. **Susan** wanted to know who the best contact person would be to refer people to. **Kristin Vandagriff** stated that people can contact either her or **Rich Sanders** at the Council office. **Kristin** commented that this would be a great opportunity to recruit someone from UAA to participate on the AIEI Advisory Board.

COUNCIL EMPLOYMENT FIRST POLICY DISCUSSION

Rich Sanders referred Council members to the draft Employment First policy created for the Council. The draft language reads: The Governor’s Council on Disabilities and Special Education (the Council) is committed to enhancing employment outcomes for individuals with disabilities as a priority. In support of this goal, the Council will actively recruit, hire, promote, and retain qualified applicants and current employees who have a disability. The Council will also expect contractors and suppliers with which it does business to actively recruit, hire, promote, and retain qualified applicants who have disabilities. Periodically we will reach out to our contractors and suppliers and ask them to formally identify how they are achieving that goal.

Amy Simpson MOVED that they adopt the language on the Employment First policy for the Council. **Lucy Odden SECONDED** the motion.

Council members engaged in a discussion regarding amending the language in the letter to make a stronger point of their intentions as well as more completely addressing how they are going to evidence businesses employing people with disabilities. It was also discussed to change the language to reflect that the Council will give preference to those businesses employing people with disabilities, all other things being equal.

Teresa Holt provided clarification to Council members that this policy is meant to be directed toward businesses that the Council engages with, such as hotels, caterers, et cetera, where the Council engages in an agreement, not a procurement process. Amanda Lofgren added that this policy gives the Governor’s Council and the Trust an opportunity to start educating businesses about hiring people with disabilities. She stated that the policy is not strict or stringent but has flexibility to it to provide those opportunities for education.

Alex Gimarc MOVED TO AMEND THE MOTION to change the word “expect” to “encourage,” and change the final sentence to, “Periodically we will reach out to our contractors and suppliers to ask, educate, and assist them to identify how they are achieving this goal.” **Karli Lopez SECONDED** the amendment. **Amy Simpson DECLINED** the amendment to the original motion.

A vote was taken with 9 in favor of passing the motion as it originally stands, and 8 were opposed. The motion **PASSED**.

EDUCATION COMMITTEE REPORT

Taylor Gregg presented the report from the Education Committee as follows:

Education Committee Long-Term Goal:

- Advocate for programs, policies, or practices that improve education for students with disabilities.

Short-Term Goals 2014 - 2015

7.1.1 Research and advocate for services, programs, or regulation changes that will improve the

scope, delivery, and effectiveness of post-school transition.

- 7.1.2 Increase the graduation rate for students with disabilities.
- 7.1.3 Research suspension and expulsion rates of students with disabilities.
- 7.1.4 Research the use by parents of procedural safeguards and parental rights, in particular due process rights.
- 7.1.5 Research ways for telepractice and distance delivery to improve special education services in Alaska.

Groups, Meetings, and Trainings Participated in Since April

- Council work group on FASD
- State FASD Partnership Steering Committee
- LEND Family Advisory Board
- State Systemic Improvement Plan (SSIP) Stakeholders Group
- Teaching and Learning Support Institute
- Anchorage Special Education Advisory Committee (SEAC).

Activities Since April

- Working with the Employment Committee on developing a discovery-centered career exploration/transition planning curriculum to be piloted in four school sites, Anchorage, Fairbanks, Mat-Su, and Nome.
- Started research on the suspension and expulsion rates.
- Gave comments to the Department of Education on Challenging Coursework and Student Assessment.
- Reviewed Stone Soup Group's Special Education Parent Handbook.
- Spread the word on the repeal of the HSGQE and how to get a retroactive diploma
- HB 210, Safe Student Act signed into law.

Christie Reinhardt added that they would like to find some students with disabilities who, because of the HSGQE, were not able to receive a diploma and would like to share their story. Press could follow along with them as they go through the process of now receiving their diploma.

DEVELOPMENTAL DISABILITIES COMMITTEE REPORT

Art Delaune presented the report on the Developmental Disabilities Committee as follows:

Activities of Importance Since May

- Reviewed the DD Registry monthly. As of 9/1/14, 719 individuals are waiting for service.
- Developed the FY14 Work Plan.
- Second round of reviewing the regulation package for Home and Community-Based Services.
- Gathering stage of review of IDDRR system in cooperation with SDS.
- Participated in Trust Housing Focus meetings
- Participated in Livable Wage Work Group and review of white paper.
- Said good-bye to Carrie Predeger and welcomed Britteny Howell as the new research analyst.
- Staff trained in D.C. on data gathering and reporting to the feds.
- Participated in SDS Community Conversations on the new CMS ruling regarding HCBS.

- Review of Medicaid Reform Advisory Committee’s list of innovations.
- Researching issues around telehealth and telepractice.
- Developed first year plan for \$50,000 housing funds for smart home and/or assistive technology.

Work Plan Priorities for FY’15

- Continue to support and participate with Key Campaign.
- Technology and telepractice as a way to increase services in rural communities.
- Review the process of SDS regulation and review through the I/DD Registration and Review Work Group.
- Increase the use of assistive technology that allows individuals with disabilities to live independently in the community.
- Conduct a survey of providers, self-advocate, and families on housing barriers and issues that affect persons with intellectual and developmental disabilities.
- Developing and advocating for recommendations for Medicaid reform.

Ongoing and Monitoring for FY’15

- Review quarterly data from SDS regarding the DD Registry, HCBS waiver expenditures, individuals receiving services out of state, et cetera.
- Monitor issues surrounding waiver payment rates and the MMIS.
- Coordinate advocacy efforts with Key Coalition.
- Review proposed regulations and provide comment as necessary.
- Support Peer Power.
- Support Key Campaign and provide scholarships.
- Participate in Partners in Policymaking.

FASD WORK GROUP REPORT

Jeanne Gerhardt-Cyrus stated that the work group has established the following priorities:

1. Accessing life-long services with a focus on DD eligibility.
2. Educational services – FASD events through the schools.
3. Prevention of secondary disabilities.
4. Inception of SAFA Chapter – Self-Advocates with FASD in Action.

Christie Reinhardt explained that former Council member Anna Attla has made it her mission to create a SAFA Chapter in Alaska. She is a charter member of the National SAFA. They have now gotten a sponsor, The Arc of Anchorage, which is very committed to helping with this. They are also discussing ways to expand this to a statewide chapter.

Art Delaune added that Senator Kelly introduced a resolution in the legislature last session that focused on FASD prevention. The resolution had mixed reviews for and against, but what it did was started a lot of conversation around the state about FASD prevention and other services.

MEDICAID REFORM AD HOC COMMITTEE

Patrick Reinhart explained that although the committee hasn't met for some time, they were able to generate a letter to the State that they develop a durable medical equipment reuse and recycling program. The committee will need to re-gather, and this will most likely be their primary topic with the new CMS rules that came out.

EXECUTIVE DIRECTOR TRANSITION PLAN/HIRING DISCUSSION, continued

Prior to the beginning of this continuing discussion, **Chair Nelson** expressed his interest in applying for the executive director position, and asked **Amy Simpson** to chair this portion of the meeting.

Amy Simpson recapped the discussion from yesterday by stating that there was a motion made by **Lucy Odden** that was seconded that the Council will pursue hiring from within the Council staff for the executive director position. **Amy Simpson** suggested that the most expeditious course of action would be for the Council to take a vote on the motion, and she asked that those staff interested in the position express their intentions at this time.

Patrick Reinhart expressed his interest in the position, noting that he is very ready to step forward to take the reigns as executive director. He felt he has all the skills and qualifications necessary to move the Council forward with very little impact in terms of work duties and responsibilities. He stated that the Council has an unbelievable team of staff, and he feels that he has the staff support behind him.

Dean Gates MOVED that the Council go into executive session. **Jeanne Gerhardt-Cyrus SECONDED**. A vote was taken with 15 for and 3 against. The motion **PASSED**.

The Council convened in executive session.

Amy Simpson announced the results of the vote that took place in executive session. The Council has approved a motion to hire from within the Council staff for the vacant executive director position when **Teresa Holt** leaves in October. The Council will write a memo to recommend **Patrick Reinhart** for the position of executive director. She further stated that **Patrick Reinhart** will need to formally write a letter to the Council expressing his interest in that position.

EARLY INTERVENTION COMMITTEE REPORT

Karli Lopez provided the Early Intervention Committee report as follows:

Early Intervention Committee Work Plan 2014 – 2015

1. Research telepractice as a way to increase early intervention services in Alaska.
2. Research understanding by parents and providers of parent rights and procedural safeguards under IDEA.
3. Increase partnerships, communication, and collaboration between parents, partners, and stakeholders involved in early intervention.
4. Research inclusive childcare opportunities statewide.
5. Other duties of the ICC are to meet the federally mandated requirements as Alaska's

Interagency Coordinating Council for Infants and Toddlers with Disabilities under Part C of the Individuals with Disabilities Education Act.

Karli Lopez further explained that the committee is focused on working on items No. 2 and 4 because the Family Outcomes Survey data is reflecting that families are not as informed about their rights as they could be, and inclusive childcare is an issue with many families.

Activities Since April

- Development of work plan
- Development of interviews of Infant Learning Program coordinators on their understanding of procedural safeguards.
- Review of rights results of EI/ILP 2014 Family Outcomes Survey for parent understanding of procedural safeguards.

Other Activities, Groups, and Meetings

- Early Hearing Detection and Intervention Advisory Board
- Alaska Infant Learning Program Association
- Infant Learning Program Leadership Team meetings to outline SSIP for Part C
- Early Childhood Special Education Programs group at UAA
- Developmental Screening and Brief Behavioral Services members group
- Alaska Pyramid Project leadership team.

ASPEN AND HEALTH AND DISABILITIES PROGRAM REPORT

Lanny Mommsen stated that the Alaska Safety Planning Empowerment Network (ASPEN) is a statewide collaborative invested in helping Alaskan community providers address the needs of individuals with disabilities who are victims of interpersonal violence. The statewide committee is made up of the Council, CHD, ANDVSA, AMHB/ABADA, and the SILC. The other partners in the focus community include the DD agency, domestic violence/sexual assault shelter, the Independent Living Center, tribal organization, and mental/behavior health agency.

For the FY' 14 community, the strategic plan was implemented, the satisfaction survey completed, and all the contracts were closed out. **Lanny** explained that this was a successful community evidenced by the satisfaction survey scores of 4.0 or greater.

Activities Since April – FY'15 Community

- Trip to FY' 15 community and ASPEN presentation
- Obtained commitment from four agencies
- Contracts have been sent out
- Scheduling focus groups in October.
- ASPEN retreat for partners.

Upcoming Activities

- Interviews of staff members
- Policy and procedure review

- Second meeting for Office on Violence Against Women grant.

Lanny Mommsen stated that the ASPEN statewide team has been looking at applying for the Office on Violence Against Women grant to do a similar project with the deaf community. This project would involve working with the DV/SA providers to make sure services are available to deaf individuals. She stated that they have already held one meeting for this, and there has been a lot of interest expressed by many of the potential partners.

Christine King further explained that ASPEN is not a long-term project. They go in to a ready community, facilitate conversations to address victimization, and then help the community agencies develop a strategic plan to address gaps in services. They encourage the community to cross train with each other and enhance their relationships. Then ASPEN closes out of that community. **Teresa Holt** added that the first two communities were revisited after ASPEN had pulled out, and the communities reported that the relationships that had been developed were maintaining. The goal of the ASPEN grant is to improve services.

Health and Disability Program Report

Lanny Mommsen stated that this small steering committee has many partners and advocates.

Activities Since April

- Strategic Plan Summit September 24th. Twenty-three committee members attended to offer input. They are going to draft a strategic plan and put it out for public feedback by the end of 2014.
- Received materials to make 5,000 more SKIP Kits, and they have distributed 450.
- Received 15,000 Get Ready! Toolkits, and approximately 500 have been distributed.
- The project officer and health scientist from the CDC just completed a site visit to Alaska in August. They went to Barrow for the day to get firsthand experience of some of the barriers and unique conditions that people with disabilities face in rural Alaska.
- Presentations/trainings.
- Conferences/fairs.

Work Plan Activities - Objective 8.1.3

- Increase the number of mammograms and pap smears for women with disabilities.
- Funding four peer coordinator trainings at Hope.
- Master of public health student will be doing health-related activities for group homes this winter.
- Will be participating in tobacco cessation through Quit Line trainings to become more inclusive and accessible.
- Adaptive PE workshops in schools to expand Discover Health in Fairbanks, Juneau, and AK Gateway where 70 more people will be trained.

Work Plan Activities - Objective 8.1.4

- Emergency preparedness presentation at Special Olympics for athletes and their families, and a presentation planned at Anchorage Community Mental Health Services and the Senior Activity Center.

PEER POWER REPORT

Chair Nelson began his presentation by stating that he is still looking for four more people to be on the Peer Power Board of Directors. He also announced that Peer Power T-shirts are available for \$20 each.

Equal Partners Interstate Congress (EPIC)

Chair Nelson stated that EPIC is a grant Peer Power is working to get, with Washington administering the grant to Alaska. Four states will be receiving one of the four \$25,000 grants, Alaska, Wyoming, Idaho, and Nevada, for the purpose of establishing a regional system for technical assistance, facilitating communication and information sharing, and for providing a unified voice in the self-advocacy movement.

The objectives for EPIC are:

- To address self-identified needs within each state
- To connect the states of the region through technology
- To create equal self-advocacy DD network partners
- To create sustainability beyond the scope of the grant
- To create methods for replication by other regions.

The outcomes of EPIC are:

- More participation in advocacy at all levels
- Active and sustainable regional networks
- Leadership among DD network partners on civil right issues
- Strong, sustainable, statewide self-advocacy/civil rights organizations.

The products of EPIC are:

- A website to act as a central hub for technical assistance and information sharing
- Webinars detailing the development of EPIC and the accomplishments to strengthen the grassroots movement
- Training and resources accessed through the Internet
- Regional meetings.

Peer Power and Job Clubs

- They have partnered with Special Olympics to have job clubs in the new facility
- Job clubs are organizing in the Valley and on the Kenai Peninsula.

Chair Nelson added that job club topics are going to include creating an effective resume, developing good references, networking to find the right job, learning how to complete applications, dressing and acting professionally, interview skills, working with colleagues and supervisors, and turning negatives into positives.

Teresa Holt added that Peer Power has expressed interest in working with the Council on input to the home and community-based waiver regulations. **Chair Nelson** stated that this is a topic for their next

Peer Power meeting.

LEGISLATIVE COMMITTEE REPORT

Dean Gates gave the Legislative Committee report as follows:

Important Activities Since May – State Level

- Employment First bill signed into law.
- Restraint and Seclusion bill signed into law.
- Education bill HB 278 signed into law to end the HSGQE and provide retroactive diplomas for all students who did not pass the HSGQE but finished their high school graduation requirements.

Important Activities Since May – Federal Level

- Workforce Investment and Opportunity Act signed into law
- Autism CARES Act signed into law
- End of sequestration
- ABLE Act on the move
- Continued work on the Disability Treaty (CRPD)

Next Steps

- Follow legislation of importance to the Council
- Conduct a Midwest Academy on housing
- Key Campaign planning and participation
- Collaboration with the Alaska Mobility Coalition
- Collaboration with the Trust Advocacy Coordinator
- Keep Council, citizens, and legislators informed and engaged.

Teresa Holt stated that the Council should congratulate themselves because this is the first time ever that the Legislative Committee and the Council have cleaned their legislative slate. **Dean Gates** wanted to especially recognize the efforts of **Representative Charisse Millett** on the legislative accomplishments this year. She was very instrumental in getting the legislation passed.

Karli Lopez asked what work the Legislative Committee has done on activities since the closeout of the last session. She referenced the minutes from the previous meeting where five legislative priorities were identified. **Patrick Reinhart** stated that there has only been one Legislative Committee meeting since May, and there hasn't been any work plan development because no legislative issues have been identified. At the May committee meeting, the Legislative Committee identified that they might concentrate on issues that are going to be brought forth from the legislature itself knowing that the Medicaid issue is one of the biggest issues that is going to come up. He also noted that they are also going to be going forward without a legislative intern, and that is a staffing issue that they will have to address.

Dean Gates added that the Legislative Committee's priorities generally come from the other committees that identify issues that come forth for legislation, so a lot of their work plan comes from the identification of issues from the other committees.

Based on a further question from **Karli Lopez** where she questioned why the Council even identified issues for the Legislative Committee in the first place at the April meeting, **Britteny Howell** stated that at the May meeting, the Legislative Committee identified that the first issue of durable medical equipment was worked on, and a letter of support has been written. Furthermore, the Council is beginning work with other entities in the state on creating a system of reuse and recycle for medical equipment. **Patrick Reinhart** also noted that this is also not a legislative issue but will be accomplished through a regulations change.

Teresa Holt further added that this is the beginning of a new legislative session, and therefore they do not have as much legislative work to do in the summer as they do in the second year of a session. She also noted that as elections are just approaching, legislators have not yet been determined, so making contacts and advocacy cannot begin until voting has taken place.

Teresa Holt also noted that for the second item for the Legislative Committee determined at the April meeting, disability training/voluntary disability designation on state ID, **Art Delaune's** group has been working hard on seeing that to fruition, so there is not a lot of work that the Legislative Committee can do on it. The accessible transportation bulleted item is not necessarily a legislative activity at this point; and the fourth bullet, the governing statutes of the Council, the Legislative Committee will need to have an in-depth discussion about because opening up the statute puts the Council at risk. The final bulleted item is transportation funding, and the issue is not ripe for discussion at this point in time.

Karli Lopez continued on to state that the next meeting is during the session, and the Legislative Committee has not developed any clear priorities. **Teresa Holt** informed the **Karli** that this is new territory for them as they have never cleaned their legislative slate, and they have never been at a point where they have had a burning issue that they've been trying to see get passed. **Patrick Reinhart** stated that the process will be very fluid, and they will be developing positions on legislation as it becomes introduced. At this point, the Legislative Committee does not have any piece of legislation to present. He also noted that the Council heard testimony last night, and there may be some issues that float to the top. Also, if other committees have legislative issues that have emerged, those need to be brought forth to the Legislative Committee for them to formulate plans on.

Chair Nelson clarified that the three priorities that they can talk to legislators about in January include the disability training and voluntary disability designation on state ID legislation, review governing statutes of the Council to remove the word "gifted," and funding for transportation infrastructure. They can also add additional priorities as the Council sees fit.

Amy Simpson suggested that the Legislative Committee look at the list of priorities for all the committees and see if there is something that can be elevated and presented to the Council. **Dean Gates** stated that he will add this to the agenda of the next Legislative Committee meeting.

Karli Lopez encouraged Council members to meet with legislators in their home communities prior to the session, and **Dean Gates** recommended Council members attend town halls and events such as the Anchorage Caucus. **Teresa Holt** reminded Council members that if they are having conversations with legislators and are participating in forums representing themselves as Council members, they need to only discuss issues agreed upon by the full Council.

Anthony Cravalho mentioned the capital request for the Denali Deaf Community Center and asked if the Council has been presented with any documentation regarding that. **Patrick Reinhart** stated that it's a 30 to 40-page document that can be distributed to the members of the Legislative Committee for consideration.

Terese Kashi suggested priorities for the Council that, even if the Council decides not to adopt, she will be working on individually. The priorities are to change licensed professional counselors into the possibility of receiving Medicare and Medicaid, to have either injured or retired law enforcement officers be rehired and retooled to accompany OCS social workers to preserve evidence, and drafting a letter asking to update how educators are certified and licensed in the state of Alaska.

SESA WORK GROUP ON FASD

Jeanne Gerhardt-Cyrus stated that the work group has been working with David Tarcy on developing a survey to determine what educators know about FASD. She stated that David Tarcy has sent out a draft of some questions, and the committee will work with him to finalize the survey. They are seeking to determine what educators, staff, and paraprofessionals know; what they need to know; and what they are seeking for information for helping students with an FASD, whether or not they have a diagnosis. The survey results will inform the committee's recommendations to the full SESA board on how to proceed in addressing these issues.

Jeanne Gerhardt-Cyrus further stated that they will be submitting a proposal to ASSEC for their upcoming conference in February.

COMMITTEE ASSIGNMENTS

Teresa Holt did a roll call assessment of which committees Council members volunteer for as follows:

Jill Burkert – Education, FASD work group, considering SESA.

Anthony Cravalho – SESA, Legislative, Education, and DD.

Art Delaune – Legislative, Executive, and DD.

Don Enoch – Education. And from DEED staff, Cassidy Jones for the EIC, Sam Jordan for Autism Ad Hoc, and Tony Buckner for the DD.

Angelina Fraize – EIC, Education, and considering Legislative and DD.

Dean Gates – Legislative, Executive, and bylaws committee when established.

Jeanne Gerhardt-Cyrus – Education, SESA, DD, Employment/Transportation.

Alex Gimarc – DD, Legislative, Medicaid Ad Hoc.

Taylor Gregg – Education, SESA.

Mallory Hamilton – DD, Education, EIC. Would consider leaving the EIC to join Employment/Transportation and SESA.

Alexis Henning – Employment/Transportation.

Susan Kaplan – DD.

Terese Kashi – SESA, Legislative, Education.

Christine King – DD and Legislative.

Margaret Kossler – Education, SESA.

Kaleene Lamb – DD.

Karli Lopez – EIC, Legislative.

Chair Nelson – Legislative, Executive, Employment/Transportation, DD, Medicaid Ad Hoc.

Sean O'Brien – Employment/Transportation, SESA. And from DVR staff, Jim Kreachman on Education.

Lucy Odden – Employment/Transportation, Executive.

Amy Simpson – Executive, Employment and Transportation, and wherever else needed.

Council members discussed who should fill the two vacancies left to be filled on the SESA board. From those members who volunteered to fill the seats, and it was determined that **Anthony Cravalho** would be a good fit for the board's desire to have rural representation, and **Sean O'Brien** could supplement the SESA board with his DVR perspective.

OTHER INFORMATION FOR THE GOOD OF THE ORDER

Dean Gates shared with the Council that the director of the Alaska State School for the Deaf and Hard of Hearing retired over the summer. Anchorage School District did a search to fulfill that position, and they selected a person who, although qualified, had a bad history at a previous place of employment. Staff and parents protested, and the Alaska Deaf Council became involved and discussed these issues with Superintendent Graff and others. Social media also played a very crucial role, and they received messages of support from all across the country. The National Association of the Deaf got involved through social media and sent information and resources, and they also sent a letter to Superintendent Graff. With all the outpouring of support, Superintendent Graff decided to honor the will of the parents and community and did not hire this person and will continue to search for an appropriate director. **Dean Gates** wanted to share this story because it was an amazing week of advocacy, and social media played a critical role.

NEXT MEETING

- January 20 – 22, Juneau.

ADJOURN

Amy Simpson MOVED to adjourn the meeting. The motion **PASSED**, and the meeting adjourned at 3:37 p.m.