

GOVERNOR'S COUNCIL ON DISABILITIES AND SPECIAL  
EDUCATION  
Legislative Committee Meeting

LOCATION

Governor's Council on Disabilities and Special Education  
3601 C Street, Suite 740  
Anchorage, Alaska  
Teleconference

Meeting Date

December 4, 2012  
1:00 p.m.

Attendees:

Eric Gebhart  
Art Delaune  
Dean Gates  
Kathy Fitzgerald  
Heidi Haas  
Terese Kashi  
Margaret Kossler  
Karli Lopez  
Ric Nelson  
Steve Lesko

Staff:

Teresa Holt  
Rich Sanders  
Patrick Reinhart  
Kalyssa Maile

Prepared by:

Paula DiPaolo, Peninsula Reporting

## Call to Order – 1:00 p.m.

### Roll Call

## READING OF THE COUNCIL MISSION

Steve Lesko began the meeting by reciting the Council's mission statement: Creating change that improves the lives of people with disabilities.

## WELCOME FROM THE CHAIR

### *Announcements or Good News*

Patrick Reinhart announced that Christie Reinhardt is the person who was hired for the Council, and she will head up the Education and Early Intervention Committees. She starts on January 9<sup>th</sup>. Patrick also commented that Rich Sanders has been appointed as interim executive director.

Teresa Holt announced that they believe the Governor has included \$1.5 million in his budget for the Infant Learning Program to assist with serving the CAPTA population. The Governor has also budgeted \$3 million for his domestic violence program.

Heidi Haas announced that she was contacted by Representative Saddler to serve on the Autism Insurance Task Force. Teresa Holt noted that the task force may begin after the session ends, and she believes they will be tasked with identifying solutions to what else needs to be done, how are small employers addressed, and how to address the State and other self insurers.

## APPROVAL OF THE AGENDA

Steve Lesko **MOVED** to approve the agenda. The motion **PASSED**.

## APPROVAL OF THE PREVIOUS MEETING MINUTES

Karli Lopez **MOVED** to approve the minutes from the November 6, 2012 meeting as presented. The motion **PASSED**.

## **CORRESPONDENCE**

Rich Sanders stated that they have had correspondence in the form of posts to the Council's Facebook page with concerns regarding the UN Convention on the Rights of Persons with Disabilities, particularly Article 7. Rich stated that the primary concern from a parent's group is that it is an international mandate that would govern what is done in the United States. Rich further explained that this convention is supported by President Bush, Bob Dole, and 300 disability organizations in an effort to ask other countries to join the United States in all the rights we have gained from the Americans with Disabilities Act. The Council is also in support of this convention, as is Senator Murkowski. Rich Sanders also noted that a Congressional vote to approve it failed. He stated that he will continue to answer questions about it from the Governor's office and the Commissioner's office.

## **REVIEW DRAFT POSITION PAPERS**

### **SESA**

Teresa Holt reviewed the changes made to the document since the last meeting.

Patrick Reinhart asked what the \$21.50 per student equated to for a total increase in funding for SESA. Kathy Fitzgerald noted that under the call to action, Council members need to be able to explain what is meant by a .55 percentage point annual funding increase for each year after. Teresa Holt will get clarification on this information from Patrick Pillai.

Kathy Fitzgerald noted that they might clarify some of the wording under the "why" section to make it clear that they need this in order to continue to provide services.

Dean Gates commented that the "what" section notes that SESA was established in 1986, but the "why" section needs to state that since 1986, the funding formula hasn't been changed. It will be impactful to point out that their funding hasn't changed for three decades. Dean Gates also commented that the "ask" section talks about reauthorization

first and funding second, and the “why” section needs to follow the same format in the same order. Dean also commented that in the “why” section they could state in dollar terms what would happen to these school districts if SESA is not reauthorized. Dean’s final recommendation was to add a piece that explains that the teachers need the classroom support to be able to serve all the children in the classroom, not just those children with disabilities. It affects all children.

Rich Sanders suggested compiling a one-page resource listing with approximately 5 resources per topic for staffers to do additional research on the issue. Teresa Holt suggested SESA’s phone number and the Council’s phone number so they can have direct contact with them.

### ***Complex Behavior Collaborative***

Teresa Holt reviewed the changes made since the last meeting. Teresa asked for a consensus on the wording describing the funding increment under the call to action. The group decided “base funding” would be the most appropriate. She also asked for consensus on the wording describing the experts under the “what” section. Dean Gates suggested adding to the last sentence of the “what” section by stating, “These experts provide individual-specific training and consultation increasing local providers’ knowledge of behavior management tailored to their client’s particular complex behaviors.” The group took a vote and decided that they would prefer to use the term “individualized” instead of “individual-specific”.

Dean Gates suggested adding the words “continuum of care” to the why section if it fits. He also had a grammar correction to the second bullet. The phrase “communities as providers” should be reworded to “communities when providers”. In the last bullet in the “why” section, the word “requirements” should not be capitalized. Dean will make those changes to the document and e-mail it to Teresa Holt.

Steve Lesko commented that the formatting is different between the two position papers, and they should look more consistent. He also commented that the data needs to be updated as they get closer to the session, and Teresa Holt stated that Reta Sullivan will hopefully have a cost analysis done by January, and that data can be included. Teresa Holt will ask Reta Sullivan to appear for their next meeting to clarify

some questions the committee members had regarding the CBC.

Heidi Haas suggested also having contact information available to the legislators and staff so they know who to contact with further questions.

## **REVIEW OF KANSAS EMPLOYMENT FIRST LEGISLATION**

Rich Sanders stated that the Kansas Employment First Initiative Act requires State programs and services that support employment of persons with disabilities to consider as their first option competitive and integrated employment for persons with disabilities. Secondly, it requires all State agencies to follow the policy for employment by coordinating and collaborating efforts amongst agencies. They have to have written statements of how they will address it, and they would have to share data and information, whenever possible, across systems in order to track progress. State agencies would be authorized to adopt rules and regulations to implement the Act. They establish an Employment First Oversight Commission, and they establish the measurable goals and objectives to implement the Act. They are required to track the progress of public agencies, and all State agencies and they would be required to cooperate and provide data to the commission.

Rich stated that additionally, the Kansas Department of Social and Rehabilitation Services and 27 community developmental disability organizations called for the development of a work group to develop a comprehensive community employment service delivery evaluation. They are to constantly identify barriers and disincentives to increase independence in areas like competitive employment, the need for a safety net for persons who lose a job, embracing the Rehab Services Commission's mission to promote adult self sufficiency, review Vocational Rehabilitation's role, et cetera. Rich Sanders explained that this work group is similar to Alaska's State as a Model Employer Task Force.

Teresa Holt stated that she heard that the administration has stated that no new commissions or boards will be established at the State's expense. She suggested forming a coalition instead of a commission. Dean Gates suggested that this task can be assigned to an existing board or commission to then collaborate with the other stakeholders.

Patrick Reinhart stated that the directive could be for the Governor's Council to take the lead on Employment First. He further commented that they already have an advisory committee put in place for their IAE grant. They can add an additional bullet point to their existing document with the directive that the Governor's Council will be the oversight committee.

The Legislative Committee will look at the bill that California put forth for their Employment First legislation at the next meeting.

Eric Gebhart asked if the Council should be looking at legislative action beyond just a directive. Patrick Reinhart, Teresa Holt, and Rich Sanders agreed that would be more impactful.

Teresa Holt stated that staff will send out the Employment First position paper for Legislative Committee members to review and comment on prior to their next meeting.

### **OTHER INFORMATION FOR THE GOOD OF THE ORDER**

Teresa Holt encouraged Council and committee members to send letters of introduction and congratulations to their local legislators. There doesn't need to be a legislative agenda to the letter, but it should be introductory in nature explaining that the Council member is interested in disability issues and will be meeting with the legislator in January. Sending pictures of Council members and their families is encouraged, and sending it as a Christmas card would be appropriate.

### **DATE AND TIME OF NEXT MEETING**

The next Legislative Committee meeting is scheduled for January 15, 2013 at 1:00 p.m.

### **ADJOURN**

Steve Lesko **MOVED** to adjourn the meeting. The motion **PASSED** and the meeting adjourned at 2:12 p.m.