

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

Legislative Committee

LOCATION

**Governor's Council Conference Room
3601 C Street
Anchorage, Alaska
Teleconference**

Meeting Date

**December 5, 2013
1:00 p.m.**

Attendees:

Dean Gates – Chair
Anthony Cravalho
Art Delaune
Terese Kashi
Ric Nelson
Akis Gialopsos for Rep. Millett
Lexi Henning
Alex Gimarc

Staff:

Teresa Holt
Patrick Reinhart
Hannah Foreman
Kristin Vandagriff

CALL TO ORDER – 1:00 p.m.
ROLL CALL

Announcements and Good News

Anchorage Taxicab Ordinance

Patrick Reinhart announced that the Anchorage Assembly passed the new taxicab ordinance. Items included in the ordinance that the Council and its partners advocated for include a disability-related seat on the taxicab commission and a mechanism for filing discrimination complaints. Committee members discussed the need to continue to watch this issue as it rolls out and monitor the impact of the ordinance as it relates to the intent.

Teresa Holt asked if the Anchorage ordinance could be duplicated in other areas of the state. Patrick Reinhart stated that the difference with the Anchorage area is that the taxi industry is regulated, and it is not regulated in most other areas of the state. He stated that the tactic they will need to take in the unregulated communities is to convince the market there is room for accessible cabs. Patrick noted that in other communities such as Homer, Juneau and Kenai, they had a non-profit entity purchase the accessible vehicle and then lease it to a cab company. This arrangement also entitled the non-profit to receive discounted vouchers for consumers.

Voting Members

Teresa Holt noted that the Executive Committee needs to address whether or not Akis Gialopsos fills the voting seat on the Legislative Committee as a representative of Representative Millett.

Alaska Deaf Center

Dean Gates stated that the Alaska Deaf Center has formed a non-profit called the Denali Deaf Community Center. They are about to enter into a lease-purchase agreement for some property, and they will be asking for a legislative increment of \$1.4 million. He was hoping this could become a Governor's Council capital request.

Teresa Holt noted that the FY'15 budget has been completed for the Council, so the Alaska Deaf Center may need to find a friendly representative or senator who would be willing to sponsor a bill for them if they are looking at the increment for FY'15. She stated that if they want to wait for the next billing cycle, they can approach the Council's Executive Committee with it for the following fiscal year.

APPROVAL OF THE AGENDA AND PAST MINUTES

Approval of the Agenda

Alex Gimarc **MOVED** to approve the agenda. The motion **PASSED**.

Approval of Previous Meeting Minutes

Alex Gimarc **MOVED** to approve the minutes from the October 24, 2013 meeting. The motion **PASSED**.

Correspondence

Hannah Foreman stated that the National Council on Developmental Disabilities was looking for a letter of support regarding regulations for community-integrated housing. They are looking to change the language to exclude nursing facilities, intermediate care facilities, hospitals and other locations that are not community based. The Council prepared a letter of support, and it was sent out on November 20th.

Hannah Foreman stated that the other letter the Council responded to was to Senator Dunleavy regarding the Alaska Education Tax Credit Program. The Council declined to provide feedback on this issue as it is unrelated to disability services or special education.

REPORTS

Report from the Chair

Dean Gates did not have anything to report for this meeting.

OLD BUSINESS

Alaska Complex Behavior Collaborative Base Funding

Teresa Holt stated that the CBC steering group has met to discuss the data in the report and how to use it in the Council's position paper. She stated that one of the keys was that for the people that entered and exited the CBC in FY'13 overall, there was a savings of \$197,582. Teresa then reviewed some statistics in the draft position paper with committee members.

Teresa Holt stated that the most difficult information to convey in the position paper is the cost savings of reduced Alaska Psychiatric Institute and Department of Corrections admissions for people served by the CBC. She noted that these institutions will maintain their fixed costs regardless of CBC consumer admissions, and the beds previously used by CBC consumers will be filled by other people. They should focus on conveying the message that the CBC kept people out of API and Corrections and in their community.

Teresa Holt reported that Jeff Jessee presented at the House Finance Subcommittee about the Complex Behavior Collaborative. Patrick Reinhart added that Jeff did a great job of explaining the value of keeping people out of institutional care, and Patrick felt the message was positively received by the legislators. Jeff Jessee also reinforced the message that the legislature funded a successful program and it needs to keep going.

Advocate for Employment First Legislation

Patrick Reinhart stated that Representative Millett and Akis Gialopsos presented the Council with the draft legislation last week, and the Council has provided feedback on the draft. Once they receive the second draft from the State legal drafters, the Council staff will present this second draft to this committee for review.

Alex Gimarc shared his concerns with the position paper that minimum wage not be used as a confine, and people should be paid what they're

worth. Teresa Holt stated that gainful employment, meaning above minimum wage, is the end goal for the Employment First Initiative and is the cornerstone of the national movement. Patrick Reinhart commented that there is a place in the federal wage and hour law where there is an exemption for some people with disabilities to be paid less than minimum wage. He noted that in Alaska, there are still a handful of people with disabilities who are paid less than minimum wage, but these types of low-paying sheltered workshops are much more common outside Alaska. Patrick noted that this bill is not addressing the wage and hour law, but is more of a statement on gainful employment.

In a response to a question from Dean Gates, Teresa Holt stated that the Employment First legislation is directed to State employment, but not necessarily the private sector. It directs the various State departments to make sure the services in their department lead to or at least move in the direction and give people the option for gainful employment.

Advocate for State/Federal Regulations Regarding Restraint and Seclusion in Schools

Akis Gialopsos stated that Christie Reinhardt provided public testimony regarding the changes and the drafting process regarding the restraint and seclusion bill to the State Board of Education this morning. He reported that the tone was fairly positive from the Board.

Terese Kashi stated that she feels the restraint and seclusion bill needs to be a more palatable sell to the school districts. She suggested adding to the position paper that not only does this bill keep students safe, it gives guidance to school personnel so they know what to do. She stated that the perception she is hearing from people in her district is a “do this or else” kind of mandate. She stated that they need to stress to the districts that this is a helpful tool for them.

Teresa Holt stated that Christie Reinhardt has contacted every single school district in the state to find out if they have a restraint and seclusion policy, if they have someone trained, if they have a train the trainer program, and how much it costs the districts to train their staff. Christie determined that between 70 to 80 percent of the districts already have

people trained. Teresa noted that in addition to connecting districts to each other for training resources, the Council is considering providing training prior to the Alaska Statewide Special Education Conference.

Akis Gialopsos added that Terese Kashi raises a valid point that because there isn't a statewide definition, people are torn on both sides of the issue. Unfortunately, media attention and break room conversations enhance people's emotional arguments on both sides. He stated that careful planning has led to the drafting of a good bill, and they don't want to make any statements that will kill this bill. They have had a lot of stakeholder input and have learned a lot from the school districts' administration. He stated that what they are doing with this bill is taking already existing district plans and synthesizing the tools to take it statewide for those districts that need to be brought to task for unethical practices. He stated that this bill will provide for greater communication between districts, will provide parameters and tools for educators, and will also insulate and protect districts and educators.

Advocate for a State Match for Public and Community Transportation

Patrick Reinhart stated that this is one of the main platforms of the Alaska Mobility Coalition. The AMC is waiting to define their position until they see what comes out in the Governor's budget on December 16th.

Advocate for Alternative Routes for Students with Disabilities to Pass the HSGQE and/or Receive a Diploma

Akis Gialopsos stated that at the next meeting of the State Board of Education, they plan to talk about graduation. Patrick Reinhart stated that the Council has put this goal on the back burner waiting to see what plan comes forth from the State Board of Education. If the Board comes forward with something relating to this, the Council will participate and have an opportunity to help shape the event.

Provide Comment to the Anchorage Assembly on Accessible Taxi Ordinance

This item was discussed under Announcements and Good News.

NEW BUSINESS

Position Papers

Hannah Foreman stated that she continues to update the drafts of the position papers as changes are suggested.

Patrick Reinhart asked for committee member feedback on the format, general content, and layout of the position papers. Committee members were pleased with the photographs chosen for the position papers.

Dean Gates suggested that they should be consistent in their position papers by either bulleting the items or numbering the items, but not doing both. Patrick Reinhart stated that they can change them all to be bullets.

Restraint and Seclusion

Akis Gialopsos suggested that they add to the restraint and seclusion paper by adding a line that shows the number of educators in the state that are already certified and trained personnel so this doesn't have the feel of an unfunded mandate. Teresa Holt stated that they are going to add a supplement to this paper consisting of a map of school districts color-coded as having staff trained, having train the trainers, or not having any staff trained. She stated that they can add a line to the position paper that can correspond to that map.

Employment First

Teresa Holt stated that they need to change the Employment First position paper from "act" to "bill" because it is not an act.

Complex Behavior Collaborative

Teresa Holt asked for committee input regarding the wording regarding the comparison of pre and post CBC costs, particularly as it relates to API and Corrections.

Dean Gates suggested adding a supplement document to the CBC position paper because so much of it relies on data. Teresa stated they debated about whether to include the 28-page report for the legislators, but they have been told that the legislators and aides want less paper, so they plan to add a link to the report. Dean suggested adding the link to the Council webpage. Akis Gialopsos agreed that putting the link on the position paper and e-mailing the legislator or the aide the link would be a good idea. Patrick Reinhart also suggested putting the position papers themselves on the Council website. Akis suggested that Hannah Foreman can be the point person to gather all the legislator/aide information and create an e-mail group while the Council is in Juneau.

Teresa Holt stated that staff need committee members to e-mail additional feedback and to help wordsmith the documents. Patrick stated that they will take the suggestions from this meeting, re-draft the documents, and re-send them to committee members for their review. He stated that the end goal is to have the final papers completed prior to the Council meeting. He stated that they don't want to be in a position of having to make major changes to the position papers once they arrive in Juneau.

UPCOMING MEETINGS AND CONFERENCES

- Trust Advocacy Summit – December 11 – 12, Anchorage.
- GCDSE Quarterly Meeting – January 21 – 23, Juneau.

TIME AND DATE OF NEXT LEGISLATIVE COMMITTEE MEETING

The next meeting is scheduled for January 7th, 2014 at 1:00 p.m.

ADJOURNMENT

Alex Gimarc **MOVED** to adjourn the meeting. The motion **PASSED**, and the meeting adjourned at 2:45 p.m.