

Self-Evaluation Report



TEXAS COUNCIL *for*
DEVELOPMENTAL
DISABILITIES

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**Report to the
Sunset Advisory Commission**

September 2013

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Texas Council for Developmental Disabilities Self-Evaluation Report

I. Agency Contact Information

A. Please fill in the following chart.

Texas Council for Developmental Disabilities Exhibit 1: Agency Contacts				
	Name	Address	Telephone & Fax Numbers	E-mail Address
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II. Key Functions and Performance

A. Provide an overview of your agency's mission, objectives, and key functions.

The mission of the Texas Council for Developmental Disabilities (TCDD) is to create change so that all people with disabilities are fully included in their communities and exercise control over their own lives. TCDD helps people with developmental disabilities achieve their potential for independence, productivity and integration into their communities by working to develop more comprehensive systems of services and supports in Texas communities and facilitating opportunities for individuals with developmental disabilities and their families to receive the training and information they need to achieve their goals.

TCDD is one of 56 State Councils on Developmental Disabilities, one in each state, the District of Columbia, and each of the five territories. All are authorized by the Developmental Disabilities Assistance and Bill of Rights Act (42 USC 6000 et seq). The DD Act authorizes funding for state DD Councils to engage in advocacy, capacity building and systemic change activities that "contribute to a coordinated, consumer and family-directed, comprehensive system that includes needed community services, individualized supports, and other forms or assistance that promote self-determination for individuals with developmental disabilities and their families." TCDD is further established in state statute (Texas Human Resources Code Chapter 112) to comply with requirements of the DD Act.

The governing body for TCDD is a 27 member Council appointed by the Governor. Per the DD Act, 60% (or 18) of those members are individuals with developmental disabilities or family members of people with developmental disabilities, and at least one of those members must be an individual residing in or who previously resided in an institution, or a family member of such persons. Other members represent key state agencies that provide or pay for services for individuals with developmental disabilities; representatives from other programs created by the DD Act; and representatives of local and nongovernmental organizations concerned with services for individuals with developmental disabilities.

The DD Act allows states to designate another state agency to receive, account for and disperse funds on behalf of the Council, and provide other administrative supports as requested by and negotiated with the

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Council, or to designate the Council itself to carry out those functions. The Texas Education Agency has provided fiscal and administrative support to TCDD since becoming the designated state agency in 2004 by Executive Order RP-37 of Governor Rick Perry.

TCDD carries out its responsibilities for advocacy, capacity building and systems change by engaging in a variety of public policy, communications, and grants activities that:

- support participation of self-advocates and family members in state policy discussions;
- educate communities and foster public awareness and community acceptance;
- provide funding for, monitor, and share information gained from innovative projects that demonstrate models for service delivery in the future;
- assist a wide variety of community-based organizations to expand their capacity to support people with developmental disabilities in their activities;
- fund training and disseminate information so that self-advocates, families and providers can gain skills and knowledge that will allow for more self-sufficiency and involvement in making decisions about their own lives; and
- seek consumer involvement in Council activities as it carries out its responsibilities under the Act to ensure that TCDD's activities reflect the needs and preferences of Texans with developmental disabilities.

TCDD advocacy, capacity building and systemic change activities are guided by a federally approved State Plan developed by the Council in compliance with requirements of the DD Act and guidelines provided by the Administration on Intellectual and Developmental Disabilities (AIDD). The Plan may be updated and amended yearly. October 1, 2013, will mark the beginning of the third year of the FY 2012-2016 State Plan. The current Plan includes seven goals that focus on:

- Development and demonstration of model programs that support educational success for students with developmental disabilities,
- Development and establishment of sustainable competitive employment opportunities,
- Education of communities so they may better support and include individuals with developmental disabilities,
- Initiation of collaborative efforts to improve availability and affordability of accessible transportation options that will enable people with developmental disabilities to live, work, and participate more actively in their communities,
- Prevent unnecessary institutionalization by increasing the capacity of communities to support the members of their communities who have developmental disabilities and their families,
- Establishment of opportunities for people with developmental disabilities and their families to take leadership roles and to advocate for their needs, and
- Provision of support for the Council to develop, implement, and monitor the State Plan.

The DD Act specifically provides that Councils may conduct a range of activities, such as:

- Outreach,
- Training,
- Technical assistance,
- Supporting and educating communities,
- Interagency collaboration and coordination,
- Eliminating barriers and redesigning systems,
- Coalition development and citizen participation,
- Providing information and recommendations to federal, state and local policymakers,
- Demonstration of new approaches to services and supports, and
- Other activities.

TCDD makes use of most of these strategies in implementation of the State Plan. However, the majority of State Plan objectives are addressed through grant projects, with funds awarded through a competitive process to state agencies, universities, non-profit organizations, and for-profit businesses. CDD generally awards 65-70% of its funds to 35-40 grant projects each year with the remainder supporting related activities conducted by staff and Council members. TCDD staff monitor project activities, progress and spending closely; an independent auditor reviews this process and reports findings to the Council through an Audit Committee to assure that monitoring is thorough and that all related risks are minimized. The Council reviews the State Plan at least annually and determines which projects and activities to continue or discontinue, given available funds and progress towards goals.

In addition to awarding grant funding to implement activities, TCDD staff review Strategic Plans and reports from state agencies that provide services and supports to individuals with disabilities to better understand the array of available services and supports. Staff also gather input directly from individuals with developmental disabilities and their families about needs and barriers that limit their ability to fully participate in their communities. Additionally, staff monitor various policy initiatives in the state. TCDD uses this information to provide input and recommendations to state agencies and legislators about ways to improve the services and supports available in Texas. TCDD also shares this information with grantees and others so that they may have a more full understanding of existing barriers and opportunities and be able to participate in the development of possible solutions.

B. Do your key functions continue to serve a clear and ongoing objective? Explain why each of these functions is still needed. What harm would come from no longer performing these functions?

TCDD's key functions of advocacy, capacity building and systems change continue to support clear objectives consistent with the needs of Texans with developmental disabilities and their families, the goals of state programs that their services, as well as the role and responsibilities of state a developmental disabilities council established in federal law. Although the systems that support people with developmental disabilities to live in their communities have made tremendous gains, much work remains to be done to assure that people with developmental disabilities are included and fully involved in their communities in ways that maximize their potential to be independent and productive citizens.

Advocacy:

DD Councils are responsible to "ensure that individuals with developmental disabilities and their families participate in the design of and have access to" needed community services and supports that promote independence, productivity and inclusion in all facets of community life. This charge recognizes a long history in this country and others of providing services for people with significant disabilities mostly in large, congregate, segregated settings. Beginning in the late 1800's, nearly all states began to develop large institutions for individuals with significant disabilities, often in rural and remote locations. That trend peaked in 1967 when nearly 195,000 individuals resided in 165 state-operated institutions across the United States, mostly individuals with intellectual and developmental disabilities. Most states began developing community programs during the 1970's which resulted in the number of individuals with I/DD residing in large state-operated institutions declining to about 100,000 residents by 1980 and to fewer than 32,000 residents by 2011.

Today, most states provide services to individuals with I/DD primarily in community settings. Texas, like most states, has made significant progress in developing services and supports that allow individuals with significant disabilities to be fully included in all facets of community life, but much work remains to be done. In FY 2010, Texas provided services and supports for 22,247 individuals with intellectual and developmental disabilities through Medicaid home- and community-based waiver programs and spent a total of \$912.6 million for those services. However, Texas' effort results in only 128 persons receiving

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Medicaid services overall per 100,000 state population compared to the national average of 220 persons receiving services per 100,000 population. And Texas provides home- and community-based services to 89 persons per 100,000 population compared to the national average of 192 per 100,000 residents. Texas also provides services in institutional (ICF/ID) settings to a larger portion of those recipients than national averages. Together, this results in significant waits for community services in Texas, often for individuals with significant needs. TCDD continues to work collaboratively with state agencies and the Texas legislature to develop strategies that rebalance service structures to better respond to the expressed interests of persons with intellectual and developmental disabilities and their families for services and supports in community settings.

Separately, the DD Act and TCDD recognize that being included in “all facets of community life” involves more than just having a residence in the community. DD Councils are responsible to promote opportunities for people with developmental disabilities and their families to have a “voice at the table,” and to support those self advocates and family members so that they are knowledgeable and effective as they participate in discussions about the design of services and supports they need to be fully included in all aspects of community life.

TCDD believes that it continues to be important to have the voices of self advocates and their families in these discussions, and when they aren’t available to have the TCDD as an advocate to represent their concerns and needs.

TCDD Council members charge staff with participating as members of many state agency advisory committees, councils, and task forces to advocate directly on behalf of persons with developmental disabilities. TCDD also provides financial support to enable public members who have developmental disabilities and family members to represent themselves in many of these discussions. TCDD funds various leadership development and advocacy training projects so that self advocates and their families are knowledgeable and capable of actively participating in policy discussions. TCDD is not aware of any other agency charged with ensuring that the interests of people with developmental disabilities and their families are represented in policy-making decisions, or expected to provide training to assure that the individuals providing input and participating in service design are informed and effective.

Capacity Building:

TCDD also continues to initiate various activities designed to build the capacity of communities and providers to offer services and supports that are responsive to individual needs. These efforts include training and information about best practice models and activities intended to support and guide communities as they gain a better understanding of how to fully include individuals with developmental disabilities. Organizations and individuals with whom TCDD works, or who hope to be able to work with TCDD, indicate that these activities are important and should be continued, and TCDD believes these activities are not consistent with the responsibilities of other state agencies or entities. Additionally, because TCDD serves the entire state, is connected to DD Councils in other states and territories, and collaborates with small, medium, and large agencies, businesses, and community organizations as well as individuals and families, TCDD is in a unique position of being able to gather information from a diverse array of perspectives.

Systems Change:

Even if the capacity to provide more community-based services and supports to a greater number of individuals and families currently existed, a need would remain to address both policy-related and attitudinal barriers that prevent full inclusion in community life. The DD Act provides flexibility to Councils to conduct outreach, facilitate collaboration between a wide range of entities, and fund demonstration projects. Councils may also engage in efforts to build community acceptance of individuals

with disabilities. This flexibility allows Councils to not only advocate and build capacity for systems change, but also to explore, develop and test new approaches that, once supported by evidence, may be adopted by state agencies or other entities.

C. What evidence can your agency provide to show your overall effectiveness and efficiency in meeting your objectives?

TCDD electronically submits an Annual Program Performance Report (APPR) to the AIDD and provides a summary of this report to the public in an electronic format, printable upon request. Through these reports and in updates to the State Plan, TCDD provides: narrative updates of the “State of the State” related to the services and supports available to and utilized by Texans with developmental disabilities; narrative reports of progress on each Goal and Objective in the Five-Year State Plan; data corresponding to selected Performance Measures (determined by AIDD and may change each year); and results of surveys of consumer and stakeholder satisfaction with Council Activities. TEA also submits an annual financial report concerning federal funds available to TCDD.

AIDD reviews and offers feedback regarding the State Plan and APPR and may also facilitate Councils receiving technical assistance to improve performance issues if necessary or desired. Additionally, AIDD conducts in-depth onsite reviews periodically of Councils and other DD Network Partners in each state to review their performance and compliance with federal requirements through a process known as the “Monitoring, Technical Assistance, and Review System” (MTARS). TCDD last went through a MTARS review during August 2003. There have been no compliance issues for TCDD, and all reviews consistently show that TCDD is implementing the approved State Plan as expected.

A workgroup – including TCDD staff – have been working with AIDD to develop performance measures that reflect the outcomes achieved by Councils more appropriately than current performance measures that are mostly outputs rather than outcomes. Prior to FY 2012, AIDD directed Councils to report on any of approximately 80 performance measures that were relevant to the activities in each Council’s State Plan. In FY 2012, AIDD required Councils to combine data from previous performance measures into fewer measures that were considered “interim measures.” AIDD intends to pilot the new measures being developed with input from the workgroup with a few Councils in FY 2014. New measures will focus on two of the primary purposes of a DD Council: promoting self-advocacy and creating systems change. In addition, AIDD will likely add a measure to document funds that are “leveraged” by Council activities. These measures should reflect both efficiency (i.e., the number of individuals who have developmental disabilities that were trained in self-advocacy by Council funded activities) and effectiveness (i.e., the percent of individuals trained who actively advocated for themselves.). Upon completion of the pilot, all Councils will report on the same new measures.

Currently, TCDD measures the effectiveness of its work in part by monitoring progress towards measurable goals. TCDD’s FY 2012 – FY 2016 State Plan focuses on collaborating with others to explore and demonstrate how to create sustainable change that results in more inclusive communities for people with developmental disabilities. To measure meaningful outcomes related to State Plan goals, TCDD will analyze trends in data already gathered and used by state entities to evaluate the quality of services received by people with developmental disabilities, such as the National Core Indicators (used in some DADS funded services), and indicators of educational success available through the Texas Education Agency. TCDD will review data corresponding to the geographic areas in which TCDD has focused activity and compare it to data from other regions in which TCDD has done no work. TCDD will then investigate further any differences between the data sets to determine if that might be correlated to TCDD activities. Additional qualitative and quantitative data will be gathered via the organizations implementing TCDD activities in order to further inform the analysis. TCDD began using this strategy with the FY 2012 – 2016 Plan.

Other strategies used to evaluate efficiency and effectiveness of smaller, more discrete activities include developing goals and objectives at the beginning of each activity and evaluating whether those are reached during the lifetime of the grant project. Grants staff monitor grantees' spending patterns and implementation of planned activities, and ensure that outputs and outcomes are reported accurately and in a timely manner. Grants staff may recommend changes to project work plans if necessary to reach the goals for the project. TCDD executive staff provide oversight of these functions and also provide oversight of public policy and communications activities conducted by TCDD staff. Updates on progress are provided to Council members at least quarterly. The Council also reviews accomplishments and issues at least annually, determining whether activities should be continued for the following year.

D. Does your agency's enabling law continue to correctly reflect your mission, objectives, and approach to performing your functions? Have you recommended changes to the Legislature in the past to improve your agency's operations? If so, explain. Were the changes adopted?

Chapter 112 of the Texas Human Resource Code establishes the Texas Council for Developmental Disabilities to carry out the purposes of the DD Act. This statute continues to reflect the intent and purposes of federal law, reflects TCDD's mission and objectives and allows TCDD to continue performing its key functions. TCDD has not recommended any changes to the Legislature to state legislation related to improve TCDD operations since this section of law was last amended in 1999.

E. Do any of your agency's functions overlap or duplicate those of another state or federal agency? Explain if, and why, each of your key functions is most appropriately placed within your agency. How do you ensure against duplication with other related agencies?

The responsibilities of TCDD with respect to individuals with developmental disabilities at times result in TCDD and other entities having similar or overlapping constituencies. However, the unique role and responsibilities vested in TCDD clearly separate activities such that TCDD functions do not overlap or duplicate those of other state or federal agencies. Additionally, the federal DD Act requires the responsibilities of a state developmental disabilities council to be carried out only by a state developmental disabilities council that meets the requirements in that Act. As such, TCDD is the only entity in Texas authorized to receive the federal funds available through the Act to carry out those responsibilities.

Other state entities that have responsibilities for similar or overlapping constituencies with TCDD include:

- The Texas Council on Autism and Pervasive Developmental Disorders (TCAPDD) is established to advise and make recommendations to state agencies and the legislature concerning the needs of persons with autism and other pervasive developmental disorders and their families.
- The Governor's Committee on People with Disabilities, within the Governor's Office, is established to further opportunities for persons with disabilities to enjoy full and equal access to lives of independence, productivity, and self-determination. The Governor's Committee recommends changes in disability policies and programs in the areas of accessibility, communication, education, emergency preparedness, health, housing, recreation, transportation, veterans and workforce. The Committee also supports a network of committees on people with disabilities, issues awards to promote greater awareness, and promotes compliance with disability related laws.
- The Texas Office of Prevention of Developmental Disabilities coordinates activities intended to minimize the economic and human consequences of preventable disabilities, especially fetal alcohol spectrum disorders (FASD) and brain and spinal cord injury.

- A number of Councils and Task Forces address issues for children with special needs and/or disabilities and their families.

Each of these entities coordinates some activities that are focused on constituencies that include in part individuals with developmental disabilities. However, none of these entities are authorized to specifically represent individuals with developmental disabilities and to address issues that impact any area of their lives in the manner of the responsibilities and authority of TCDD in the DD Act. TCDD also is cognizant of the efforts of these other entities, coordinates where appropriate, and defers to those entities related to their areas of focus and expertise rather in order to avoid overlapping efforts.

F. In general, how do other states carry out similar functions?

Each state and territory has a state council on developmental disabilities that is established within the framework of the DD Act. Each Council develops and implements a five-year State Plan developed by the Council based on the same requirements; however, councils may prioritize uniquely different issues and strategies given the diversity across the 56 states and territories. The DD Act prohibits the state from assigning staff working for the Council to other activities. This restriction results in Councils in each state and territory being separate entities rather than part of a consolidated effort that might address related constituencies and/or issues, although Councils from different states or territories occasionally collaborate on a joint effort.

The DD Act allows states and territories to establish a state council on developmental disabilities as a separate state entity, or to designate another state entity to provide fiscal and administrative support to the council. Of the 56 state and territorial councils on developmental disabilities, 46 receive administrative support from another state agency (designated state agency) much in the same manner as the support provided to TCDD by the Texas Education Agency. 10 councils are established as separate, independent state agencies or entities. Additionally, 3 state councils on developmental disabilities are established as non-profit organizations although federal funds for each flow to the council from another state agency.

G. What key obstacles impair your agency’s ability to achieve its objectives?

TCDD has identified the following obstacles that impact TCDD’s ability to be more effective:

- Reductions in federal funds through sequestration, rescissions, and other means limit TCDD’s ability to develop new project ideas. TCDD funds have been reduced by over 6% since FY 2010.
- Difficult fiscal realities in Texas and nationally limit the state’s ability to rapidly expand services and / or develop different practice models.
- Public attitudes and perceptions about individuals with disabilities are difficult to impact and limit the ability of the state / providers to develop inclusive options, etc.
- Lack of consensus among disability advocacy organizations on some issues limits TCDD’s potential effectiveness in providing public policy input.
- Transportation issues frequently result in people not being able to participate in Council initiatives, attend work, or participate in other community activities. Unlike most other disability policy issues, transportation planning decisions occur primarily at a local level and have often been less familiar with the participation of people with disabilities in the planning process.

H. Discuss any changes that could impact your agency’s key functions in the near future (e.g., changes in federal law or outstanding court cases).

Reauthorization of the DD Act could result in amendments that restrict TCDD’s ability in some manner. However, no specific reauthorization proposals have been introduced in Congress at this time.

There are no outstanding court cases that would impact TCDD directly. As noted previously, the continued fiscal uncertainty nationally could result in further reductions in federal funds available to TCDD.

I. What are your agency's biggest opportunities for improvement in the future?

One of TCDD's biggest opportunities for improvement would be to incorporate input and increase direct involvement of a broader and more diverse audience in TCDD activities and in turn TCDD's input to other agencies. TCDD has dramatically improved outreach activities to gather additional information from and gain increased participation in activities by people who are identified in the DD Act Amendments as "un-served and underserved." The Act defines "un-served and under-served populations" as individuals from racial and ethnic minority backgrounds, disadvantaged individuals, individuals with limited English proficiency, individuals from underserved geographic areas (rural or urban), and specific groups of individuals within the population of individuals with developmental disabilities, including individuals who require assistive technology in order to participate in and contribute to community life." The Act recognizes that these individuals are less likely to be involved in providing input about policies related to services and supports they may need, and are more frequently under-represented in service and supports systems. Given the rapidly changing demographics of Texas, TCDD anticipates the state will see a large and rapidly increasing number of individuals who would fall under this definition. TCDD will continue to explore ways to understand the concerns and interests of these groups in order to include those perspectives in advocacy input, and will continue promoting opportunities for individuals from those groups to be included in policy discussions.

TCDD also sees considerable opportunities to assist people with developmental disabilities through new and emerging media and technology initiatives. Social media strategies are increasingly becoming a way to connect people to their broader community. These resources can also help people to become more engaged in the civic process and be aware of opportunities to provide input. New and emerging technology applications also bring great potential to assist individuals with disabilities to live more independently in many situations. GPS systems as a mobility aid; voice activation of various devices; passive monitoring of health and safety; and other new applications are quickly becoming more common and have great potential for individuals with disabilities to be less dependent on others as caregivers, thereby becoming more independent in their communities. At the same time, careful consideration must be given to ensure that financial resources are not a barrier for people with disabilities to access these technology devices and applications.

Self advocates and families are expressing increasing interest in having more involvement and input about the services and supports that are available. As part of those discussions, consumers and families are particularly interested in having an increased role regarding how funds available for their support are used. Experiences in other states demonstrate that service delivery systems are more efficient when recipients have more control over how those funds are used. At the same time, self-advocates and families are becoming more involved as members of various stakeholder and advisory bodies to state agencies. Together, these changes offer the potential to develop cost-effective services structures that are more responsive to what consumers and families most need to be fully included in their communities.

TCDD has been working for many years with other states' Councils and with AIDD to improve how well Councils are able to measure the degree to which Councils have been responsible for creating beneficial changes in existing systems that serve and support individuals with developmental disabilities. The current outcome measures on which Councils are required to report (to AIDD) do not provide an accurate measure of the role Councils play in achieving systems change. The primary difficulties lie in accurately conveying the level of impact caused by a change in policy, procedure, regulation, or program and also in trying to determine the degree to which the Council was responsible for the change, given that many

different organizations and agencies typically work together to create these types of changes. AIDD and TCDD are committed to developing, testing, and improving new ways of measuring Council’s work on creating systems change.

Over the past few years, Texas and other states have begun to develop more responsive services for veterans with disabilities and their families. This creates an opportunity for disability advocates to collaborate with advocates for veterans services recognizing the similarity of the service and support needs of these constituents.

J. In the following chart, provide information regarding your agency’s key performance measures included in your appropriations bill pattern, including outcome, input, efficiency, and explanatory measures.

There are no performance measures specific to TCDD in the appropriations pattern. Federal funds available to TCDD are included in various strategies of the TEA appropriations pattern. Performance measures reported by TCDD to AIDD for FY 2012 are included in the chart below. Please note:

- TCDD is not required by AIDD to establish annual performance targets. Councils establish performance targets with goals in the five-year State Plan and report performance yearly.
- AIDD requires reporting on these measures by each objective; the data from all objectives has been combined for this chart. Data reported to TCDD by grantee organizations may include duplicate measures (such as number of organizations collaborating or number of people trained). Data in this chart should therefore not be considered unduplicated measures.
- Individuals counted in these measures are primarily people who have developmental disabilities or family members of people with developmental disabilities.
- Definitions are available on request.

Texas Council for Developmental Disabilities Exhibit 2: Key Performance Measures — Fiscal Year 2012	
Key Performance Measures	FY 2012 Actual Performance
SA01 People trained in area related to Goal(s)/Objective(s).	4903
SA02 People trained in leadership, self-advocacy, and self-determination.	2085
SA03 People trained in systems advocacy.	28
SA04 People active in systems advocacy.	304
SA05 People attained membership on public/private bodies and leadership coalitions.	41
SA06a Other self-advocacy measure: People with developmental disabilities receive support to pursue careers.	76
SC01 Programs/policies created or improved.	62
SC02 Number of organizations involved in coalitions/networks/partnerships.	186
SC03 Organizations involved in systems change efforts	316
SC04 Number of public policymakers educated.	15
SC05 Members of the general public reached.	4724

Much of TCDD’s work efforts are implemented through grant projects that require considerable TCDD staff time for monitoring and coordination. Workload measures reflecting TCDD staff activities are also summarized here.

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Measure	Performance
Number of active projects	45
Number of organizations receiving grants	40
Number of these organizations receiving grants that are new to TCDD	16
Percent of “new” grantees with no prior experience with grants	30%
Number of new grant awards processed	27
Number of continuation grant awards processed	15
Percent of grants assessed at “acceptable risk” requiring Level 1 monitoring	32%
Percent of grants assessed at “moderate risk” requiring Level 2 monitoring	36%
Percent of grants assessed at “considerable risk” requiring Level 3 monitoring	11%
Percent of grants assessed at “extensive risk” requiring Level 4 monitoring	20%

III. History and Major Events

Provide a timeline of your agency's history and key events, including:

- **the date your agency was established;**
- **the original purpose and responsibilities of your agency;**
- **major changes in responsibilities or statutory authority;**
- **changes to your policymaking body's name or composition;**
- **significant changes in state/federal legislation, mandates, or funding;**
- **significant state/federal litigation that specifically affects your agency's operations; and**
- **key changes in your agency's organization (e.g., a major reorganization of the agency's divisions or program areas).**

1963 - With more than two million persons in the United States with developmental disabilities, Congress passed Public Law (P.L.) 88-164, the Mental Retardation Facilities and Community Health Centers Construction Act of 1963, to provide assistance to states to assist persons with developmental disabilities. Funds were initially made available to states for training personnel for community programs as most states begin to develop alternatives to large state-operated institutions, and later for construction of facilities for community programs. Texas began developing what we know today as the network of community centers for persons with mental illnesses and intellectual disabilities across the state. This Act also required states to establish an advisory body to the state mental retardation agency.

1970 - Developmental Disabilities Services and Facilities Construction Act of 1970 (P.L. 91-517) amended the Mental Retardation Facilities and Community Health Facilities Construction Act of 1963. This Act added to federal law a definition of “developmental disabilities” defined to mean individuals with mental retardation, cerebral palsy, epilepsy, or certain other neurological conditions that begin before age 18. This Act modified requirements for a state mental retardation advisory committee so that those bodies became a State Planning and Advisory Council for persons with developmental disabilities, and required each state to submit an annual plan related to requirements of the State DD Planning and Advisory Council. Following passage of this Act, a state interagency Task Force and Interim Advisory Council in Texas was established by Governor Preston Smith. This Ad Hoc Advisory council functioned until July 29, 1971, when the Governor designated the Texas Department of Mental Health and Mental Retardation (TDMHMR) as the state agency responsible for administration of the developmental disabilities program. At that time, the Governor also appointed the first members of the new Texas Developmental Disabilities Planning and Advisory Council.

1975 - Developmental Disabilities Assistance and Bill of Rights Act (P.L. 94-103). In 1975, the DD Act first established the role of the state developmental disabilities council to advocate for persons with developmental disabilities. The Act added autism and dyslexia to the definition of developmental disabilities, required DD Councils to prepare plans on deinstitutionalization in each state, and required “individualized habilitation plans” for individuals receiving services in DD funded grant projects. The Act also required members of each DD Council to be appointed by the state's governor, and established the “projection and advocacy system” for persons with developmental disabilities in each state. Advocacy, Inc. (now Disability Rights Texas) was established as the DD P & A program in Texas.

The DD Act of 1975 also established state protection and advocacy systems to protect and advocate the rights of persons with developmental disabilities. State protection and advocacy systems were authorized to pursue legal, administrative, and other appropriate remedies to insure the protection of the rights of persons with developmental disabilities receiving treatment, services, or habilitation within the state.

1977 - In 1977, Advocacy, Inc. (now Disability Rights Texas), opened its doors as the Texas state protection and advocacy organization, designated by Governor Dolph Briscoe.

1978 - Developmental Disabilities Amendments (P.L. 95-602). These amendments revised the definition of developmental disabilities to a functional definition that describes individuals with developmental disabilities as persons with a mental or physical disability that begins by age 22, is likely to continue indefinitely, results in substantial functional limitations in at least three major life areas, and requires a coordinated array of services in order for the individual to be included in all aspects of community life. The amendments required that at least 50% of each state DD Council be self advocates with a developmental disability or family members of individuals with developmental disabilities.

1981 - Developmental Disabilities Act Amendments (through Omnibus Reconciliation Act (P.L. 97 35) reauthorized the DD Act with minimal changes.

1983 - Governor William Clements transferred responsibility for the DD Program from TDMHMR to the Texas Rehabilitation Commission (TRC) effective January 1, 1983. At that time, the responsibilities of the state administering agency as provided by the DD Act were to administer or supervise the administration of the state's DD program.

The 68th Legislature established the Texas Planning Council for Developmental Disabilities through H.B.1985, effective August 29, 1983. As passed, H.B. 1985 provided for a 25-member governor board (council), including 14 members with developmental disabilities and their family members, and representatives of seven agencies. H.B. 1985 allowed for the Council to elect a chair and vice-chair from among the members; to develop the State Plan as required by the DD Act; and required the governor to designate a state agency to receive and administer federal and state funds for the developmental disabilities program. The administering agency was responsible to provide staff assigned to assist the council, and to make final decisions regarding awarding of grants. H.B. 1985 also incorporated into state law a legislative finding that "the treatment, services, and habilitation for a person with developmental disabilities must be designed to maximize the developmental potential of the person and must be provided in the setting that is least restrictive of the person's personal liberty." (Texas Human Resource Code Ann. § 112.002(b) (West 2013).

1984 - Developmental Disability Act of 1984 (P.L. 98-527) required DD Councils to include "employment related activities" in State Plans, modifying the previous optional priority area of "non-vocational developmental services" in recognition of the capabilities of individuals with significant disabilities to be successful in meaningful, gainful employment. The values of "independence", "productivity" and "integration" were included in the purposes of the Act, and amendments incorporated "People First Language" for the first time.

DD Act Amendments of 1978 added requirements that the state protection and advocacy system be able to obtain access to records of individuals with developmental disabilities residing in facilities in the state.

1985 - The 69th Texas Legislature amended Chapter 112, Human Resources Code through S.B. 118 which became effective September 1, 1985. S.B. 118 streamlined the state statute by removing provisions repeating language in the federal DD Act; removed the requirement for the number of members of the council; provided for the Governor to designate a member of the Council as chair; and provided for the federally required State Plan to be developed jointly with the administering agency in a manner that conforms to requirements of the DD Act. S.B. 118 also added Section 112.021 providing for the protection and advocacy system in the state to have access to records of individuals with developmental disabilities receiving services as required by the DD Act.

1987 - Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1987 (P.L. 100-146). These Amendments included a statement about the importance of focusing on the “capabilities, competencies, and preferences” of individuals with developmental disabilities in addition to their needs. Responsibilities were delegated to Councils to focus on “systems change” efforts and the role of the Council to engage in public policy advocacy activities and to educate policymakers was strengthened. Councils were also directed to review the services and support needs of individuals with developmental disabilities who were historically underserved or unserved in each state and complete reports of those studies by January 1, 1990.

These amendments also established that the agency designated by the state to provide fiscal and administrative services **not** be an agency that provides or pays for services for individuals with disabilities, recognizing the inherent conflict of interest in those situations. References to the “administering agency” were revised to the “designated state agency” responsible to receive, account for and disburse funds consistent with the Council’s State Plan. Those amendments allowed current agency designations to remain if the Governor of the state reviewed the current agency relationships and made a determination that it was in the Council’s best interest to remain with the existing agency providing that the Governor’s review determined that the relationship did not interfere with the Council’s ability to advocate on behalf of individuals with disabilities. The amendments required any new designation be to an agency that does not provide or pay for services to individuals with developmental disabilities.

1988 - Pursuant to requirements of the DD Act Amendments of 1987, Governor Clements determined in June 1988 that it was in the best interest of the Council that TRC remain as the designated state agency.

1990 - Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1990 (P.L. 100-496) further strengthened the independence of Councils to manage their own affairs and clarified the responsibilities of the designated state agency from those of the Council. Values of “inclusion” and “interdependence” were added to the Act, and the definition of developmental disabilities was revised regarding its application to children under age 5.

1994 - Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1994 (P.L. 103-230) reorganized and simplified the Act, revised Principles to refer to the importance of integration “and inclusion”, and added an emphasis on cultural diversity and culturally competent services throughout the Act. A definition of “personal attendant services” was added, and councils were renamed “state councils on developmental disabilities”, dropping the word “planning”. Amendments added language that the Act does not “preclude a council from engaging in systemic change, capacity building, and advocacy activities for individuals other than developmental disabilities, where appropriate”, and responsibilities of the designated state agency were further clarified to indicate that the DSA was responsible to provide other support services “as requested by and negotiated with the Council”, and requiring the DSA to enter into a Memorandum of Understanding with the Council if requested by the Council.

1999 - The Council was reviewed during the state’s Sunset Review process resulting in H.B. 1610 which was passed by the 76th Texas Legislature and signed into law effective September 1, 1999. That bill continued and renamed the Council the Texas Council for Developmental Disabilities, and incorporated into state law many revisions of the DD Act over the preceding 14 years. In particular, H.B. 1610 followed the pattern in the DD Act for responsibilities of the Council versus those of the designated state agency. Following passage of HB 1610, the Governor’s Office reduced the number of Council members from 30 to 29 to achieve an odd number of total members as required H.B. 1610.

2000 – Developmental Disabilities Assistance and Bill of Rights Act of 2000 (P.L. 106-402) revised requirements for Council State Plans, requiring that plans be for five years rather than three, and added nine optional areas of emphasis for Council activities rather than the four previous priority areas. A

definition of “self determination” was added to the Act, the DD definition was again revised regarding its application to children, birth to age 9, and Councils were required to report on waiting lists in each state. The Act requires Councils to support self-advocacy organizations in the state and to support leadership training activities. The Act requires at least 60% of the members of the Council to be self-advocates with developmental disabilities or family members (previously 50%), and requires councils to report annually on consumer satisfaction with Council-sponsored activities.

The DD Act of 2000 also provided authority for the state protection and advocacy system to have access to individuals with developmental disabilities in the location that services, supports or other assistance are provided to the individual, and have access to records of those individuals.

2004 – The reorganization of health and human services agencies and functions required by H.B. 2292 passed by the 78th Texas Legislature became effective in 2004 consolidating the former Texas Rehabilitation Commission, Commission for the Blind, Commission for the Deaf, and the Early Childhood Intervention Council into a new Department of Assistive and Rehabilitative Services. This reorganization required a new designation of the Council’s DSA when TRC was abolished. Consistent with provisions of the DD Act that prohibit any new designations to be an agency that provides or pays for services to persons with developmental disabilities, the federal Administration on Developmental Disabilities determined that a designation to the Health and Human Services Commission, or another agency within the “enterprise”, would not be allowable. After considerable discussions with Council members, ADD and others, Governor Rick Perry issued Executive Order RP 37 designating the Texas Education Agency as the “designated state agency” for TCDD effective September 9, 2004.

The consolidation of various agency functions required by HB 2292 also allowed the reduction of the number of agency members of the Council, reducing the total members from 29 to 27.

IV. Policymaking Structure

A. Complete the following chart providing information on your policymaking body members.

The Governor appoints individuals to the 27-member Council in accordance with applicable federal laws. At least 60% of the Council’s members must be persons with developmental disabilities, a parent or family member of children with developmental disabilities, or relatives or guardians of individuals with developmental disabilities who are not able to represent themselves. The DD Act also requires Council membership to include representatives of key state agencies that provide or pay for services for people with developmental disabilities, and a representative from the Texas Center for Disability Studies, the Center on Disability and Development at Texas A&M University, and the state’s protection and advocacy system (Disability Rights Texas). Members of the Council serve staggered six-year terms as specified in state statute. A Council member may not serve more than two consecutive six-year terms.

Texas Council for Developmental Disabilities Exhibit 3: Policymaking Body			
Member Name	Term/ Appointment Dates/ Appointed by ___	Qualification (e.g., public member, industry representative)	City
Mary Durham, Chair	2 nd Term 09-08-05 to 02-01-11 Appointed by Governor	Public member/ parent of a child with a developmental disability	Spring
Rebecca Hunter Adkins	1 st Term 03-18-09 to 02-01-15 Appointed by Governor	Public member/ person with a developmental disability	Lakeway
Kimberly Blackmon	1 st Term 03-18-09 to 02-01-15 Appointed by Governor	Public member/ person with a developmental disability	Fort Worth
Kristine Clark	2 nd Term 08-24-11 to 02-01-17 Appointed by Governor	Public member/ parent of a child with a developmental disability	San Antonio
Gladys Cortez	1 st Term 08-24-11 to 02-01-17 Appointed by Governor	Public member/ family member of a child with a developmental disability	McAllen
Kristen Cox	1 st Term 03-18-09 to 02-01-15 Appointed by Governor	Public member/ parent of a child with a developmental disability	El Paso
Andrew Crim	1 st Term/ 12-23-08 to 02-01-13 Appointed by Governor	Public member/ parent of a child with a developmental disability	Fort Worth
Mateo Delgado	1 st Term 03-18-09 to 02-01-13 Appointed by Governor	Public member/ person with a developmental disability	El Paso
Stephen Gersuk	1 st Term 08-15-12 to 02-01-13 Appointed by Governor	Public member/ parent of a child with a developmental disability	Plano
Cindy Johnston	2 nd Term 12-23-08 to 02-01-13 Appointed by Governor	Public member/ person with a developmental disability	Dallas
Diana Kern	2 nd Term 03-18-09 to 02-01-15 Appointed by Governor	Public member/ person with a developmental disability	Cedar Creek

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Scott McAvoy	1 st Term 02-23-12 to 02-01-15 Appointed by Governor	Local non-government organization	Cedar Park
John Morris	2 nd Term 03-18-09 to 02-01-13 Appointed by Governor	Public member/ person with a developmental disability	Austin
Dana Perry	2 nd Term 03-18-09 to 02-01-15 Appointed by Governor	Public member/ parent of a child with a developmental disability	Brownwood
Joe Rivas	2 nd Term 08-24-11 to 02-01-17 Appointed by Governor	Public member/ person with a developmental disability	Denton
David Taylor	1 st Term 02-23-12 to 02-01-17 Appointed by Governor	Public member/ parent of a child with a developmental disability	El Paso
Lora Trainer Taylor	1 st Term 12-23-08 to 02-01-13 Appointed by Governor	Public member/ parent of a child with a developmental disability	Houston
Richard A. Tisch	2 nd Term 03-18-09 to 02-01-15 Appointed by Governor	Public member/ parent of a child with a developmental disability	Spring
Susan Vardell	2 nd Term 12-23-08 to 02-01-13 Appointed by Governor	Public member/ parent of a child with a developmental disability	Whitesboro
Mary Faithful	Appointed September 2001 to represent Disability Rights Tx.	Represents the state DD Protection and Advocacy System	Austin
Penny Seay	Appointed 02-22-02 to represent the Center for Disability Studies at UT-Austin	Represents the DD University Center for Excellence in DD	Austin
Mike Benz	Appointed 11-10-05 to represent the Center for Disability and Development at Texas A&M	Represents the DD University Center for Excellence in DD	College Station
Vacant	Appointed by the Executive Commissioner of the Health and Human Services Commission	Represents the state agency that administers funds provided under Title XIX of the Social Security Act	Austin
Jeff Kaufmann	Appointed 05-28-10 by the Commissioner of the Department of Aging and Disability Services	Represents the state operating agency for funds provided under Title XIX of the Social Security Act and funds provided under the federal Older American's Act	Austin
Manda Hall, MD	Appointed 11-20-12 by the Commissioner of the Department of State Health Services	Represents the state operating agency for funds provided under Title V of the Social Security Act	Austin
Cindy Swain	Appointed 11-10-11 by the Commissioner of the Texas Education Agency	Represents the state agency that administers funds provided under the federal Individuals with Disabilities Education Act	Austin
Sara Kendall	Appointed 12-12-10 by the Commissioner of the Department of Assistive and Rehabilitative Services	Represents the state agency that administers funds provided under the federal Rehabilitation Act	Austin

B. Describe the primary role and responsibilities of your policymaking body.

Pursuant to state statute (Tex. Hum. Res. Code Ann. § 112.020) and Rules adopted in Administrative Code (§876.4) the Council is responsible for establishing the policy framework through which the agency carries out its statutory responsibilities. The Council shall:

- Exercise the authority provided by law to adopt policies and rules governing Council activities.
- Develop and implement policies that clearly separate the policymaking authority of the Council and the management responsibilities of the executive director and staff on the Council.
- Approve the state plan and amendments.
- Serve as an advocate for state and federal legislation, appropriations and policies on behalf of the individuals with developmental disabilities as authorized by federal law.
- Oversee operations of the council for integrity, effectiveness, and efficiency.
- Approve personnel policies that provide for the selection, supervision, and evaluation of the executive director and staff.
- Ensure projects and activities comply with all applicable federal and state requirements.
- Other responsibilities as provided by Council policies.

C. How is the chair selected?

The chair is appointed by the Governor from among the members.

D. List any special circumstances or unique features about your policymaking body or its responsibilities.

The DD Act requires that not less than 60 percent of the membership of the Council shall be individuals with developmental disabilities; parents or guardians of children with developmental disabilities; or immediate relatives or guardians of adults with mentally impairing developmental disabilities who cannot advocate for themselves. Of the 27 Council members, 18 are public members representing these qualifications.

E. In general, how often does your policymaking body meet? How many times did it meet in FY 2012? In FY 2013?

The Council meets quarterly in regular session on dates set by the Council Chair. Special meetings of the Council may be called by the Chair, the Executive Committee, or through the written request of five or more Council members. During 2012, the Council and Committees met on: February 8-10, 2012; May 2-4, 2012; July 25-27, 2012 and October 24-26, 2012. During 2013, the Council and Committees met on February 6-8, 2013; May 1-3, 2013; August 7-9, 2013; and is scheduled to meet on October 23-25, 2013.

F. What type of training do members of your agency's policymaking body receive?

TCDD coordinates with new members upon their appointment to schedule time for orientation and training. That session includes an overview of the Council, the history of the DD Act and of TCDD, Council, Committee and member responsibilities. The orientation also reviews the Council's State Plan, Position Statements, Public Policy Priorities, current grant projects, current approved budget and financial report. During orientation new members also are made aware of the Memorandum of Understanding with TEA, state laws as required by state statute, TCDD policies, procedures, recent audit reports and internal audit plan, as well as other relevant information at that time. This training occurs prior to the first quarterly Council meeting. Information reviewed is also provided to members in an orientation manual and the manual is available online. Additional training is provided to members as needed throughout their term of appointment.

G. Does your agency have policies that describe the respective roles of the policymaking body and agency staff in running the agency? If so, describe these policies.

The governor-appointed Council is responsible to oversee the implementation activities that carry out its responsibilities under the DD Act as well as applicable state statutes. The Council has adopted Policies indicating that the Council is responsible to establish the policy framework through which the agency carries out its statutory responsibilities. Staff of the Council receive direction from the Council through the Executive Director. Specifically, the Council shall:

- adopt administrative rules that guide the staff in administering Council activities and projects;
- approve the State Plan and Plan amendments;
- approve requests for appropriations;
- approve an annual operating budget for the Council (including staff positions and funds for grants);
- approve funding activities to be initiated with grant funds;
- approve an internal audit charter, an annual internal audit plan, and review completed audits;
- approve public policy Position Statements;
- approve contracts, exclusive of grants, in excess of \$10,000;
- approve new and continuation grants awards;
- oversee operations of the Council for integrity, effectiveness and efficiency;
- establish procedures for reviewing appeals for actions of the Council and staff;
- approve personnel policies for Council staff;
- select the Executive Director, when the position is vacant;
- approve staff positions; and
- provide input to the Chair for the annual performance appraisal of the Executive Director.

Rules adopted in Texas Administrative Code, §876.6, provide that the executive director is responsible for the effective and efficient administration of the affairs of the Council subject to applicable laws and under the general direction of the Council. The director shall select, supervise and evaluate staff to implement Council-approved activities consistent with policies approved by the Council. The executive director may delegate responsibilities to Council staff as appropriate. Policies adopted by the Council further detail the responsibilities of the Executive Director:

- select, organize, and direct the staff of the Council consistent with personnel policies approved by the Council;
- establish the operating budget for the Council and allocate funds among strategies, programs, and projects within the limits of statutory authority and as set forth in the General Appropriations Acts of the legislature;
- serve as or designate a Chief Audit Executive to coordinate with and provide assistance to the internal auditor who will conduct a risk assessment, develop a proposed internal audit plan, and conduct audits consistent with the approved audit plan and/or special audits;
- approve expenditures of funds within the budget approved by the Council in accordance with law;
- approve grant awards for stipends grants and provide timely notice of such actions to the Executive Committee and Council;
- coordinate requests for proposals, proposal review, negotiation of initial and continuation work-plan and grant awards, and provide technical assistance, support and monitoring of grant activities;
- represent the Council and report on behalf of the Council to the Governor, Legislature, the public, or other organized groups as required;

- report in a timely manner all relevant information, first to the Chair and subsequently to all members of the Council, endeavoring to report to members of the Council in such a manner that the members are equally well informed on matters that concern the Council;
- enter into Interagency Agreements and Memorandums of Understanding with other agencies and organizations, exclusive of the Memorandum of Understanding with the Council's designated agency, to implement the policies and positions of the Council;
- collaborate with the Council's designated agency for efficient and effective administrative support pursuant to the Memorandum of Understanding;
- represent the Policy Positions of the Council, and oversee staff activities to assure consistency with Policy Positions of the Council;
- recommend to the Council policy positions and programmatic and budgetary activities to implement the Council's State Plan;
- coordinate development of the Council's State Plan, amendments, annual reports, and other state or federal planning and reporting activities;
- establish policies and procedures to ensure Council staff carry out responsibilities and activities as approved by the Council;
- establish procedures to ensure Council staff comply with personnel policies as approved by the Council, including state requirements pertaining to work hours of state employees;
- act as the Secretary for all Committees and the Council for purposes of certification of the Minutes of the Committees and Council following approval; and
- delegate responsibilities to other Council staff as appropriate.

H. What information is regularly presented to your policymaking body to keep them informed of your agency's performance?

The Council and its primary Committees meet quarterly for regular meetings. Considerable information is reviewed at those meetings to advise the Council and Committees about key business matters and performance. The Executive Committee quarterly reviews a financial report, makes final decisions about proposals for new projects, and approves new and continuation grant awards for projects. The Project Development Committee guides development of the State Plan and annual amendments, monitors the status of requests for proposals for new projects until those projects are initiated, and reviews status updates on State Plan Objectives and Activities. The Public Policy Committee updates Public Policy Priorities and Position Statements as appropriate, monitors staff activities to address those issues, and monitors staff communications activities. The Audit Committee annually reviews the updated agency risk assessment; audit reports, and proposed internal audit plan for the coming year. All Committees report on their discussions to the Council. Additional information is provided to Council members between meetings as appropriate or as requested.

I. How does your policymaking body obtain input from the public regarding issues under the jurisdiction of the agency? How is this input incorporated into the operations of your agency?

Rules adopted by the Council in Texas Administrative Code indicate that opportunities for public comments will be provided at each Council and Committee meeting and will be included on each meeting agenda (40 TAC Part 21). Comment cards are made available for those persons wishing to make public comments at each meeting. Public comments are generally scheduled at the beginning of each meeting but may be provided at different times necessary to accommodate those wishing to address the Council or Committee. Individuals may also request in advance to make a presentation to a Committee or the Council. If approved, those presentations will be included on the Committee or Council meeting agenda. The public also has the opportunity to provide input through the Council's website at

<http://www.tcdd.texas.gov>, via focus and stakeholder groups, by U.S. Mail or email, or through Facebook or Twitter.

TCDD makes additional efforts to solicit input on certain topics or at certain times to inform Council or Committee discussions and activities. As a part of the process to develop the FY 2012-2016 State Plan, TCDD solicited input through in-person conversations with individuals; attending public events (such as a community center picnic and resource fair); conducting focus groups; meeting with self-advocacy groups; distributing online and paper surveys; and reviewing input gathered by other DD Network partners. The Council also reviews unsolicited ideas submitted by the public; information and referral calls to TCDD; reports from grantees; information provided by Council members; and available data as “public input” that is used to develop the Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis which leads to the development of the Council’s State Plan Goals and Objectives.

All Council discussions and decisions about planned activities take place in open meetings. TCDD posts any proposed changes to the State Plan for public comments for at least 45 days prior to taking action. TCDD also maintains a free electronic subscription service through which individuals or organizations receive announcements of meetings and other important events.

J. If your policymaking body uses subcommittees or advisory committees to carry out its duties, fill in the following chart.

Texas Council for Developmental Disabilities Exhibit 4: Subcommittees and Advisory Committees			
Name of Subcommittee or Advisory Committee	Size/Composition/How are members appointed?	Purpose/Duties	Legal Basis for Committee
Executive Committee	Five members: Council Chair, Vice-Chair, the Chair of the Project Development and Public Policy Committees, and a consumer member-at-large elected by the full Council. Council Chair is designated by Governor; Vice-Chair and consumer member-at-large are elected by the Council; Committee Chairs are recommended by Council Chair and approved by Council.	Develops & monitors Memorandums of Understanding, policies and procedures. Supervises and evaluates the Executive Director. Approves grant awards. Monitors grant award and monitoring process. Acts for full Council on emergency matters.	Council Policies
Audit Committee	No more than 5 members. The Council Vice-Chair serves as Chair; other members recommended by Council Chair and approved by Council; Council Chair is non-voting ex-officio member.	Recommends internal audit charter and annual audit plan; reviews internal audit reports and monitors corrective actions; recommends special audits.	Council Policies
Public Policy Committee	12-13 members. Council Chair recommends members for approval by Council	Coordinates public policy advocacy and public information activities; develops public policy position statements; identifies key health and human services policy issues and recommends activities.	Council Policies

Project Development Committee	12-13 members. Council Chair recommends members for approval by Council.	Oversees planning and funding activities; develops State Plan and annual amendments; monitors implementation of State Plan; recommends new funding activities; reviews grantee activities and accomplishments.	Council Policies
Nominating Committee	Three to five members. Each standing committee except the Executive Committee selects one member; the Council selects one member-at-large plus a second member if needed so that the Committee is comprised of an odd number of members.	Presents a recommendation to the full Council for the office of Council Vice-Chair at the winter Council meeting. Presents a recommendation to the full Council for a primary consumer delegate-at-large to the Executive Committee at the winter Council meeting.	Council Policies

V. Funding

A. Provide a brief description of your agency's funding.

Federal funds are made available to each state and territory for a state developmental disabilities council pursuant to provisions of the DD Act on the basis of the state's population, the extent of need for services for individuals with developmental disabilities, and financial need of the respective states. Funds are allotted by the U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Intellectual and Developmental Disabilities. TCDD does not receive any state appropriated funds.

B. List all riders that significantly impact your agency's budget.

There are currently no riders in the General Appropriations Act that impact the TCDD budget or ability to use available federal funds.

C. Show your agency's expenditures by strategy.

Texas Council for Developmental Disabilities Exhibit 5: Expenditures by Strategy — Fiscal Year 2012 (Actual) Per TEA Appropriations Strategies			
Goal/Strategy	Amount Spent	Percent of Total	Contract Expenditures Included
TEA A.2.4 - School Improvement and Support Programs	\$3,295,189		Yes
TEA B.3.2 - Agency Operations	\$1,697,333		Yes
TEA B.3.4 - Central Administration	\$50,000		Yes
TEA B.3.5 - Information Systems	\$41,496		Yes
TOTAL	\$5,084,018		

D. Show your agency's sources of revenue. Include all local, state, and federal appropriations, all professional and operating fees, and all other sources of revenue collected by the agency, including taxes and fines.

Texas Council for Developmental Disabilities Exhibit 6: Sources of Revenue — Fiscal Year 2012 (Actual)	
Source	Amount
100% Federal Funds	\$5,084,018
TOTAL	\$5,084,018

E. If you receive funds from multiple federal programs, show the types of federal funding sources.

TCDD does not receive funds from multiple federal programs.

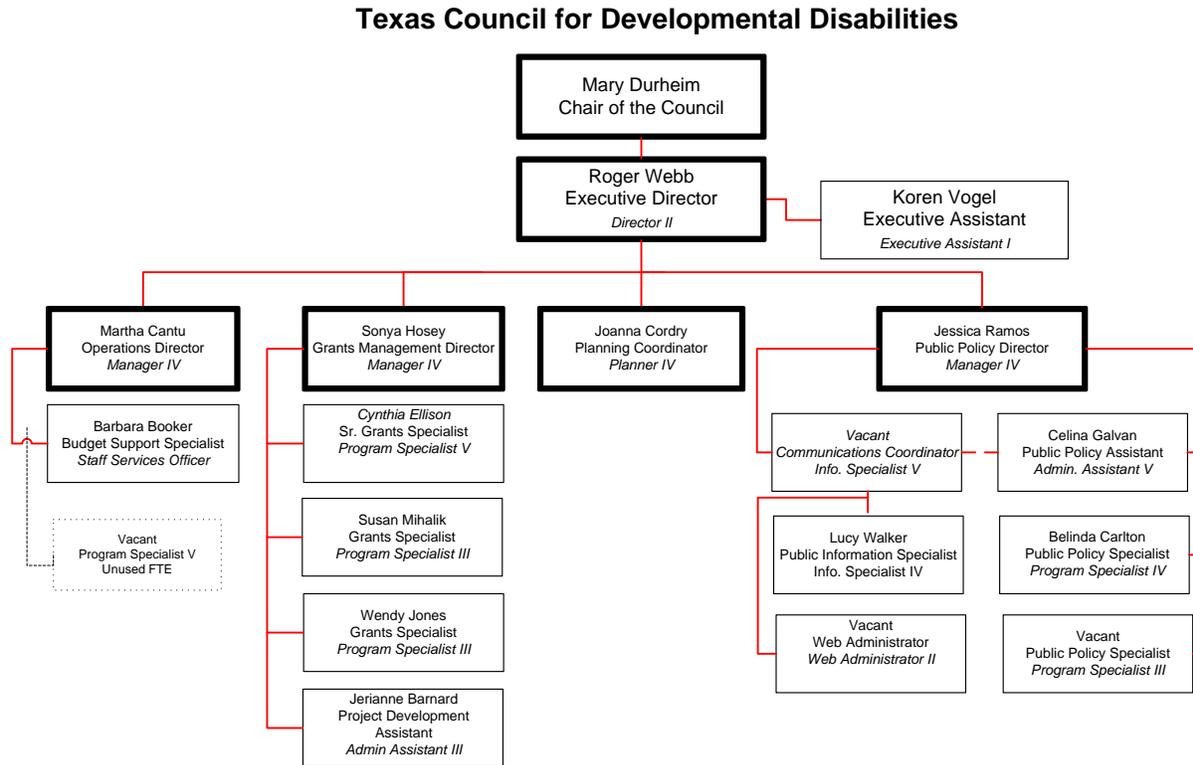
Texas Council for Developmental Disabilities Exhibit 7: Federal Funds — Fiscal Year 2012 (Actual)				
Type of Fund	State/Federal Match Ratio	State Share	Federal Share	Total Funding
100% Federal Funds	0	0	\$5,084,018	\$5,084,018
TOTAL				\$5,084,018

F. If applicable, provide detailed information on fees collected by your agency.

TCDD does not collect any fees.

VI. Organization

A. Provide an organizational chart that includes major programs and divisions, and shows the number of FTEs in each program or division.



B. If applicable, fill in the chart below listing field or regional offices

TCDD does not have a regional or field office.

Texas Council for Developmental Disabilities Exhibit 9: FTEs by Location — Fiscal Year 2012				
Headquarters, Region, or Field Office	Location	Co-located? Yes/No	Number of Budgeted FTEs, FY 2013	Number of Actual FTEs as of June 1, 2013
Texas Council for Developmental Disabilities Headquarters	6201 E. Oltorf, Suite 600 Austin, Texas 78741	No	17	15
TOTAL			17	15

C. What are your agency's FTE caps for fiscal years 2012-2015?

TCDD does not have an FTE cap in the appropriations pattern. TCDD positions are included in the FTE's available for TEA as TCDD's designated state agency. TCDD and TEA have currently agreed in the joint Memorandum of Understanding that 18 FTEs are available for TCDD.

D. How many temporary or contract employees did your agency have as of August 31, 2012?

TCDD had one contract with Peak Performers from September 1, 2011 through March 31, 2012 for a Web Administrator to temporarily fill the vacant Web Administrator position.

E. List each of your agency's key programs or functions, along with expenditures and FTEs by program.

Texas Council for Developmental Disabilities Exhibit 10: List of Program FTEs and Expenditures — Fiscal Year 2012		
Program	FTEs as of August 31, 2012	Actual Expenditures
Council Support	2	See Section XII – Agency Comments
Public Policy	3.5	See Section XII – Agency Comments
Public Information & Strategic Communication	3.5	See Section XII – Agency Comments
Planning and Project Development	1	See Section XII – Agency Comments
Grants Management	5	\$3,295,189
Administrative Operations	2	\$1,788,829
TOTAL	17	\$5,084,018

TCDD activities are summarized in six function areas with the number of FTE's for each function. However, TCDD expenditures are primarily divided in two key functions: 1) Grants Management; and 2) Administrative Operations. Expenditures shown for Administrative Operations includes funds available to the designated state agency (TEA) per federal law of \$50,000, and expenditures for Information Systems also to TEA \$41,496. All TCDD staff salaries and benefits are included in the Administrative Operations function. For a detailed explanation of fund allocations by function, please see Section XII - Agency Comments.

VII. Guide to Agency Programs

Complete this section for **each** agency program.

1A. Provide the following information at the beginning of each program description.	
Name of Program or Function	Council and Staff Support
Location/Division	6201 E. Oltorf, Suite 600, Austin, Texas 78741
Contact Name	Roger Webb, Executive Director
Actual Expenditures, FY 2012	See Sec. XII – Agency Comments
Number of Actual FTEs as of June 1, 2013	2
Statutory Citation for Program	42 U.S.C. 15001

1B. What is the objective of this program or function? Describe the major activities performed under this program.

TCDD Council and staff support the Council in its mission *to create change so that all people with disabilities are fully included in their communities and exercise control over their own lives.*

The DD Act outlines the philosophy, programmatic requirements, and activity guidelines that TCDD must follow. However, the 27-member Council as a governing body makes decisions regarding TCDD activities, including developing a Five Year State Plan, overseeing TCDD operations, approving public policy priorities and position statements, and approving advocacy-related activities.

TCDD Council and staff support activities include executive oversight of TCDD daily operations and public policy, planning, grants, fiscal and administrative activities; coordination of quarterly Council and Committee meetings; liaison with various external entities and functions, and oversight of TCDD personnel functions. This function includes the Executive Director and Executive Assistant who are responsible to:

- Provide direction and guidance to implement the TCDD State Plan including public policy advocacy activities, public information and communications, project development and grants monitoring activities.
- Oversee the fiscal affairs of TCDD including developing and implementing annual operating budgets and managing the obligation and expenditure of funds consistent with state and federal requirements.
- Oversee TCDD personnel functions including selection and supervision of staff and assuring compliance with state and agency personnel policies and procedures.
- Provide support to the Council, Council Committees, the Council Chair and members including coordination of arrangements for quarterly Council and Committee meetings, hotel meeting facility arrangements, guest rooms for members as needed, travel arrangements and expense reimbursement for Council members travel to attend meetings, and coordination of expense reimbursement for members and meeting facilities
- Preparation of meeting discussion materials for Council and Committee meetings and oversight of implementation of all approved activities.
- Provide effective liaison function with the disability community, state agencies, the Governor’s office, the Administration on Intellectual and Developmental Disabilities and other entities.

1C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The effectiveness and efficiency of this function is best reflected by considering the transparent overall management of all program functions as a whole making sure that all program areas work together and operate together to meet the goals of the Council. Meetings of the Council and standing committees have been coordinated each year in an efficient manner ensuring that meeting materials are prepared, coordinated and distributed in a timely fashion. The efficiency of monitoring federal funds is evident by assuring federal funds available to TCDD are fully obligated by the end of the second year and liquidated by the end of the third year; with unspent funds generally being less than 0.05% yearly. The efficiency of Operational Budgets are evident by assuring that approved operational budgets remain within the approved budget; that contracts are adhered to, and reimbursements to vendors and grantees are processed in a timely manner with fewer than 2-3 instances of payments being paid later than 30 days after receipt of payment requests or invoices.

1D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The history of the DD Act in Section III of the SER highlights changes in the authority and responsibility of the Council versus those of the designated state agency over the past thirty years. During this period, the Council's executive management function has assumed increased responsibility to coordinate and manage various activities now delegated to the Council. In response to these changes, TCDD now contracts for internal audit functions, and contracts with the Attorney General's office for legal counsel rather than having those function provided by the designated state agency.

1E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

TCDD Council and Staff Support activities affect, directly and indirectly, the estimated 485,000 Texans who have developmental disabilities, their families, friends, and communities. In addition, TCDD efforts affect agencies and organizations with whom the Council works. The efforts of this function affect more directly the 27 members of the Council (governing board), TCDD staff, and various state agencies and disability advocacy organizations.

1F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The TCDD Executive Director works under the general guidance of the Council Chair, and is responsible for the supervision of TCDD staff and activities as reflected on the staff organization chart included in Section VI of this SER. The role of the Executive Director and Executive Assistant in this program function provide overall support for Council members and ensure staff support functions are coordinated to provide support of approved Council and committee activities while maintaining compliance of applicable federal and state requirements. The Executive Director also oversee compliance of TCDD Policy and Procedures. TCDD does not have regional or field operations except for grant funded projects described elsewhere in this report.

1G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

All funds available to TCDD are federal funds authorized by the DD Act. TCDD does not receive any pass-through monies. Section 122 of the DD Act provides for state allotments to be determined for Councils each fiscal year on the basis of population; the extent of the need for services for individuals with developmental disabilities; and the financial need of the respective states and territories.

1H. Identify any programs, internal or external to your agency that provides identical or similar services or functions to the target population. Describe the similarities and differences.

TCDD is not aware of any known programs that provide similar or identical services or functions for individuals with developmental disabilities.

1I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

TCDD is not aware of other agencies or programs with similar functions or activities. There is therefore no duplication of efforts or conflict of interests concerning TCDD activities on behalf of individuals with developmental disabilities.

1J. If the program or function works with local, regional, or federal units of government, includes a brief description of these entities and their relationship to the agency.

The Council and Staff Support function coordinates directly with the Administrative on Intellectual and Developmental Disabilities as the cognizant federal agency to coordinate activities for state developmental disabilities councils. This function also coordinates with the Governor's Appointments Office concerning public members appointed by the Governor as members of the Council.

1K. Contracted expenditures made through this program.

There are no contract expenditures made through the Council Support function. All contract expenditures are made in the Administrative Operations program area.

1L. Provide information on any grants awarded by the program.

There are no grants awarded by the Council Support function. See the Grants Management program area for discussion of all grants awarded by TCDD.

1M. What statutory changes could be made to assist this program in performing its functions? Explain.

There are no statutory changes that could be made to assist this program in performing its functions.

1N. Provide any additional information needed to gain a preliminary understanding of the program or function.

There is no additional information to provide.

1O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity

There are no regulatory programs relating to licensing, registration, certification, or permitting of person, business or entity.

1P. For each regulatory program, if applicable, provides the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

TCDD does not have any regulatory responsibilities. There is no complaint information to be provided for any of the programs for this function.

2A. Provide the following information at the beginning of each program description.	
Name of Program or Function	Public Policy
Location/Division	6201 E. Oltorf, Suite 600, Austin, Texas 78741
Contact Name	Jessica Ramos, Public Policy Director
Actual Expenditures, FY 2012	See Sec. XII – Agency Comments
Number of Actual FTEs as of June 1, 2013	3.5
Statutory Citation for Program	42 U.S.C. 15001

2B. What is the objective of this program or function? Describe the major activities performed under this program.

TCDD public policy staff support the Council in its mission *to create change so that all people with disabilities are fully included in their communities and exercise control over their own lives.*

The DD Act outlines the philosophy, programmatic requirements, and activity guidelines that TCDD must follow. However, the 27 member Council as a governing body makes decisions regarding TCDD activities, including developing a Five Year State Plan, overseeing TCDD operations, approving public policy priorities and position statements, and approving advocacy-related activities.

The major activities performed under this function are to:

- Provide information and technical assistance to Council members to support decision-making of the Council, and to assist individual members in advocacy activities,
- Provide support and coordination for the Council’s Public Policy Committee,
- Research and provide input on policies and legislation as requested,
- Develop and offer concrete policy alternatives to ensure that individuals and families can access and maintain self-directed community-based services and supports of their choice,
- Represent Council positions by participating in workgroups at the state and national level,
- Produce required reports and policy analyses,
- Coordinate preparation of Biennial Disability Report,
- Provide grantees and other stakeholders with information, technical support and information related to policy, legislation, and/or advocacy strategies,
- Provide people with developmental disabilities and family members with support to advocate for the services and supports they need to be fully included in community life.

2C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

Every year TCDD Public Policy staff collaborates with and provides support to TCDD's grantees to enhance their work on projects related to State Plan Goals. Public Policy staff are responsible for the majority of policy-related change that is achieved by TCDD. Outcomes achieved through their activities are reported in the Annual Program Performance Report under the related Goal.

Staff also actively engage in public policy work in other important areas included in the Council’s Public Policy Priorities. TCDD provides a narrative summary of accomplishments of these activities in the

Annual Program Performance Report under a separate goal for staff activities.

In FY 2012, Public Policy staff facilitated advocacy skills-related training by identifying and contracting with outside entities to provide information, training and public policy advocacy tips to 22 Council members and 6 guests. Staff also worked with other organizations to provide current information to the Council regarding major state and federal policy issues, such as the status of monitoring being conducted by the US Department of Justice of Texas's State Supported Living Centers; the impending expansion of STAR+PLUS managed care in Medicaid Rural Service Areas; key Interim Study charges for the Texas Legislature; and implementation of the Affordable Care Act.

TCDD staff collaborates with others by participating in many workgroups (including Ad Hoc workgroups), task forces, committees and meetings and provide summaries of these activities to Council members at least quarterly. In FY 2012, staff participated in the following:

Appointed Members:

- DADS Aging and Disability Resource Center Advisory Committee
- DADS / Texas Board of Nursing SB 1857 Advisory Committee (to provide input concerning medication management protocols)
- Texas Board of Nursing Delegation Task Force - Chapter 225
- DADS Lifespan Respite Services Advisory Committee
- DADS IDD Systems Improvement Workgroup
- Texas Disability Policy Consortium
- Texas Disability Task Force on Emergency Management (charged with providing input to the Texas Preparedness Advisory Council; assuring inclusion planning for Texans with disabilities; and enhancing the state and local emergency management plans to include planning for functional needs)
- Children's Policy Council and the System Reform Sub-Committee
- Texas Traumatic Brain Injury Advisory Committee
- Rehabilitation Council of Texas
- Various National Association of Councils on Developmental Disabilities workgroups

Regular Participant:

- Money Follows the Person Demonstration Advisory Committee
- Promoting Independence Advisory Committee
- DADS Community-based Services Interest List Stakeholders
- Public-Private Partners Workgroup
- My Medicaid Matters initiative
- Texas Children's Mental Health Forums
- Mental Health America Texas mental health policy planning meetings
- Task Force on Children with Special Health Care Needs
- Cover Texas Now (an ad hoc healthcare advocacy coalition)

Staff provide support to TCDD's Public Policy Committee to incorporate and condense the information gained and "lessons learned" through these activities into TCDD's 15 position statements; three Public Policy Priorities for the 83rd Legislative Session; and the 2012 Biennial Disability Report (as referenced in Section X).

Through collaboration and by providing input, TCDD was able to influence policy decisions in a positive manner, as perceived by individuals with developmental disabilities and their families, on these issues:

- Delaying the start of the transfer of acute services to managed care for waiver consumers in the Medicaid rural services areas. Following stakeholder input, HHSC and DADS delayed implementation until “individuals have been provided adequate information to understand the impact and make an informed choice of their managed care organizations selection.”
- Coordinating with other advocates, DADS staff, and providers:
 - To correct a misunderstanding about the eligibility of individuals living in group homes to qualify for food stamps;
 - To develop fair and transparent room and board agreements between HCS residential services providers and participants; and
 - To preserve budget riders that provide children in institutions with access to the waiver that most appropriately meets their needs so they can grow up in families.
- Provided public comment to the Legislative Budget Board on the Legislative Appropriations Requests for Department of State Health Services (DSHS) identifying as priorities children with special health care needs, epilepsy, school health and community supports and housing for adults and children with mental health disabilities, and for the Department of Aging and Disability Services (DADS) identifying the need to fund the growing needs of persons on the Medicaid waiver interest list and restoring General Revenue crisis safety net services and rebalancing the system to promote independence;
- Provided input to a joint hearing of Senate Education and Criminal Justice Committees on the issue of disproportionate discipline of students with disabilities (referencing the positive outcomes of TCDD PBIS projects);
- Provided invited testimony to the House Technology Committee;
- Commented on significantly increasing contractor costs related to the Amy Young Architectural Barrier program and the need for the Texas Department of Housing and Community Affairs to prepare an analysis;
- Provided input to the Texas Department of Insurance (TDI) on defining habilitation and the scope of necessary services in implementing the ACA for Texas and a request to TDI and HHSC to convene an Essential Health Benefits Stakeholder Workgroup;
- Provided feedback regarding a utilization review tool to be used to ensure adequate and appropriate service levels in the HCS and CLASS programs;
- Provided public comment to DADS on the reform of long term services and supports (LTSS) for people with intellectual and developmental disabilities; and
- Provided feedback as requested by the LBB regarding the safety and efficiency of waiver programs.
- Worked collaboratively to provide information to various legislative offices during the interim.
- Influenced the redesign of the long term services and supports system by:
 - Providing legislative staff with requested
 - TCDD access to health care projects highlights; and
 - Submitting recommendations to improve redesign proposals; and
 - Live streaming a Town Hall for stakeholders to receive answers to questions from state agency and legislative staff leadership.
- Provided support to legislative staff in their efforts implement the TCDD Public Policy Recommendation relating to Employment First.

2D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

There has been no major change in history or changes to how functions have changed from the original intent that is not included in the general agency history section.

2E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

TCDD public policy efforts affect directly and indirectly, the estimated 485,000 Texans who have developmental disabilities, their families, friends, and communities. In addition, TCDD efforts affect agencies and organizations with whom the Council works.

2F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Council reviews and revises, as needed, Public Policy Position Statements during quarterly meetings in even numbered years to ensure that public policy staff has adequate guidance about how to handle issues on a daily basis. Public Policy Priorities are adopted during the Council meeting immediately preceding a legislative session. In both cases, public policy staff solicit recommendations for revisions from Council members in advance of the Council meeting when the item will be taken up by the Council. Public policy staff prepare drafts including staff and Council member revision recommendations for the Public Policy Committee to consider. The Public Policy Committee make recommendations to the full Council for approval and the Council votes to concur with the Public Policy Committee recommendations, makes a motion to amend the recommendation or rejects the recommendation with or without instructions for reconsideration.

Public Policy Position Statement, Public Policy Priorities along with the DD Act inform staff activities as they relate providing public input and representing the Council in discussions with other advocacy organizations, state agencies or with legislative staff. TCDD staff monitors priority issues, under the direction of the Public Policy Director, to determine whether strategic input is necessary. Public policy staff prepare public input, in coordination with the Public Policy Director, and approval from the Executive Director. Formal public policy input is available at <http://www.tcdd.texas.gov/public-policy/public-policy-input/>.

When an issue arises that is beyond the scope of the guidance described above, guidance is sought from the Council Chair.

Month	Key Events/Milestones <i>(directly involving the Public Policy Director)</i>	Associated Key Activities/Responsibilities <i>(direct accountability of the Public Policy Director)</i>
January	Legislative Session: Legislature convenes 2 nd Tuesday <i>(odd-numbered years)</i> Grantees: Review applications and continuations	Public policy advocacy (includes monitoring, attending hearings, providing input, responding to legislature requests, coordinate with other advocates) Have legislative tracking system in place; coordinate monitoring of key issues.
February	Session: Quarterly Council Meeting Grantees: Review applications and continuations Attend workgroup and advisory meetings.	Public Policy Advocacy; Council meeting prep (public policy materials and planned presentations); Coordinate Council member legislative visits. Provide members' information re: Senator and Representative.

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March	Legislative Session: Grantees: Review applications and continuations	Public Policy Advocacy; Coordinate monitoring of key issues.
April	Legislative Session: Quarterly workgroup meetings Grantees: Review applications and continuations Disability Policy Seminar;	Public Policy Advocacy; Coordinate monitoring of key issues. Meeting prep Make presentation @statewide disability conference
May	Session: Quarterly Council Meeting Grantees: Review applications and continuations Initial discussion of Biennial Report focus (<i>odd-numbered years</i>)	Public Policy Advocacy; Council Meeting prep (public policy materials and planned presentation) Prepare discussion materials.
June	End of Session: Texas Legislature adjourns (<i>odd-numbered years</i>) Grantees: Review applications and continuations	End of session wrap-up; finish summaries of key issues;
July	Quarterly Workgroup Meetings Summary of key issues from legislative session Grantees: Review applications and continuations	Meeting prep Coordinate monitoring of key issues.
August	Quarterly Council Meeting Approve Biennial Report focus (<i>odd-numbered years</i>) Preliminary review of Biennial Report recommendations (<i>even-numbered years</i>)	Council Meeting prep (public policy materials and planned presentation) Prepare discussion materials; coordinate monitoring of key issues.
September	NACDD Annual Conference; Legislation effective Grantees: Review applications and continuations	Monitor development of program rules, etc. Coordinate monitoring of key issues.
October	Agencies start developing rules Grantees: Review applications and continuations	Coordinate monitoring of key issues.
November	Quarterly Council Meeting Council Approval of Public Policy Priorities (<i>even-numbered years</i>) Grantees: Review applications and continuations	Meeting prep Prepare discussion materials
December	Quarterly Workgroup Meetings Biennial Report submitted to State Leadership (<i>even years</i>) Grantees: Review applications and continuations	Meeting prep Oversee and coordinate monitoring of key issues.

2G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

All funds available to TCDD are federal funds authorized by the DD Act. TCDD does not receive any pass-through monies. Section 122 of the DD Act provides for state allotments to be determined for Councils each fiscal year on the basis of population; the extent of the need for services for individuals with developmental disabilities; and the financial need of the respective states and territories.

2H. Identify any programs, internal or external to your agency that provides identical or similar services or functions to the target population. Describe the similarities and differences.

TCDD is not aware of any known programs that provide similar or identical services or functions for individuals with developmental disabilities.

2I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

TCDD is not aware of other agencies or programs with similar functions or activities. See a more detailed reply to this answer in the Administrative Operations program area.

2J. If the program or function works with local, regional, or federal units of government, includes a brief description of these entities and their relationship to the agency.

The TCDD Public Policy function provides public comments to federal agencies on disability policy matters, including comments to the Centers for Medicare and Medicaid Services (CMS) regarding proposed rules, waiver applications, and amendments submitted to CMS by Texas HHS agencies. Likewise, TCDD provides public comments to the Equal Employment Opportunity Commission, Department of Labor and the Department of Housing and Urban Development on a variety of disability related issues. TCDD has also participated in discussions with the Department of Justice as a stakeholder on issues pertaining to the Settlement Agreement with Texas pertaining to its State Supported Living Centers.

2K. Contracted expenditures made through this program.

There are no contract expenditures made through the Public Policy function. All contract expenditures are made in the Administrative Operations program area.

2L. Provide information on any grants awarded by the program.

There are no grants awarded by the Public Policy function. See the Grants Management program area for discussion of all grants awarded by TCDD.

2M. What statutory changes could be made to assist this program in performing its functions? Explain.

There are no statutory changes that could be made to assist this program in performing its functions.

2N. Provide any additional information needed to gain a preliminary understanding of the program or function.

There is no additional information to provide.

2O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity.

There are no regulatory programs relating to licensing, registration, certification, or permitting of person, business or entity.

2P. For each regulatory program, if applicable, provides the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

TCDD does not have any regulatory responsibilities. There is no complaint information to be provided for this function.

3A. Provide the following information at the beginning of each program description.	
Name of Program or Function	Public Information and Strategic Communication
Location/Division	6201 E. Oltorf, Suite 600, Austin, Texas 78741
Contact Name	Melissa Loe, Communications Coordinator
Actual Expenditures, FY 2012	See Section XII – Agency Comments
Number of Actual FTEs as of June 1, 2013	3.5
Statutory Citation for Program	42 U.S.C. 15001

3B. What is the objective of this program or function? Describe the major activities performed under this program.

TCDD Public Information and Strategic Communication activities support the Council in its mission *to create change so that all people with disabilities are fully included in their communities and exercise control over their own lives.*

The major activities initiated by public information and communications staff are, consistent with federal and state law, to:

- Provide information and technical assistance to Council members to support Council decision-making and to identify specific strategic communication goals.
- Develop and maintain productive relationships with representatives from other organizations to maximize the impact of outreach and strategic communication efforts.
- Coordinate external communications related to staff, Council member, and grantee activities to implement the strategic communication plan.
- Coordinate messaging, marketing, and branding activities as directed by the Council.
- Create and disseminate required reports, brochures and information packets.
- Maintain the TCDD website and social media accounts and ensure that accessibility requirements are met.
- Evaluate the effectiveness of specific strategic communication activities; review increases in Facebook Fans, Twitter Followers, website traffic, and email subscribers as a measure of progress; and provide recommendations to the Council for improvement as necessary.
- Provide grantees with information, technical support, and information related to communication and outreach.
- Provide people with developmental disabilities and family members with informational materials that will support them to advocate for themselves.
- Coordinate outreach activities to ensure that Council members and TCDD staff receive relevant and timely public input from diverse audiences.

3C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

TCDD provides a narrative summary of accomplishments of this program in the Annual Program Performance Report.

TCDD public information and communications staff provided support to Council members to identify and implement strategic communication goals, including increasing outreach and building connections with other organizations, particularly non-traditional partners. Throughout FY 2012, communications staff:

- implemented strategic outreach and marketing for seven RFPs posted in FY 2012
- responded to 95 Information and Referral requests from individuals
- participated in collaborations with other organizations such as the Texas OneStar Foundation's Inclusion Team of Texas, and formal and informal networking and collaboration with communications staff of other Councils as well as Texas organizations.

TCDD staff collaborated with advocacy organizations and public agencies to plan and implement media campaigns, such as the celebration of October as "Persons with Disabilities History and Awareness Month", as well as implement information-sharing activities. Staff and Council members also represented TCDD directly at, or provided materials to, events hosted by other organizations. For example, in FY 2012, staff represented TCDD at:

- the "Destination... Life Regional Transition Fair," which is held at Round Rock High School for parents and students from nine Austin-area school districts (approximately 200 attendees)
- the Texas Advanced Leadership & Advocacy Conference (approximately 150 attendees)
- Central Texas African American Family Support Conference (approximately 200 attendees)
- the Texas School for the Deaf annual Transition Fair (approximately 175 attendees),
- Texas A&M's Texas Transition conference (number of attendees unknown)
- Texas Parent to Parent's annual conference (approximately 400 attendees).

A Council member received staff support to represent TCDD at a media event in McAllen (South Texas) in April 2012 and 2013, joining Texas State Senator Eddie Lucio, Jr., State Rep. Aaron Peña, the McAllen Chamber of Commerce President, and presidents of both the University of Texas Pan American and South Texas College, to announce the DARS Project HIRE grant award from TCDD.

Communications staff provided ongoing technical assistance and support to grantees to promote projects through local media outlets across Texas. Grantees able to create publicity to benefit their projects included:

- The Arc of Texas
- The Circle of 10 Capacity Building Project
- Texas A&M's Bridge to Career in Human Services program
- SER Jobs for Progress
- Barbara Jordan Endeavors Corp.
- OneStar Foundation's Inclusive Faith Symposium
- DARS' Project HIRE
- Any Baby Can's Health and Fitness project

In addition to working with state agencies, advocacy organizations, grantees, and the media, TCDD collaborated with 14 Texas state senators and representatives to announce 17 new or continuing grant projects in North, South, Central, and West Texas and near the Gulf Coast.

In FY 2012, TCDD staff initiated a major effort to "coordinate messaging, marketing, and branding activities," involved the redesign of the TCDD website, launched in January 2013, and reformatting, re-writing, or re-designing many materials (including those created by other entities) to address accessibility issues.

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Staff also made thoughtful use of social media, in particular Facebook and Twitter, as a part of the strategic communications plan. TCDD has made important contacts via social media, and, as the result, is able to crowd source requests for information more efficiently

TCDD used established partnerships and communication tools to publicize the availability of information and resources. In FY 2012, TCDD distributed more than 20 different products created by TCDD, either alone or in collaboration with another organization, in response to specific requests. This included: six requests for Council brochures; 245 resource lists; 157 copies of the Next Steps DVD; four copies of the 2010 Biennial Disability Report; 3140 copies of the People First Language handout; 13 copies of "Working with News Media"; and seven Council Position Statements. The FY2011 Annual Report was released electronically, and was downloaded 97 times from the TCDD website (English version downloaded 92 times; Spanish version has been downloaded five times).

The "Higher Education Resource Guide for Students with Disabilities," available in both English (545 copies) and Spanish (165 copies), was requested by:

- Office of the Governor;
- The Department of State Health Services;
- The Department of Assistive and Rehabilitative Services;
- Texas School for the Deaf;
- Austin Chapter of the Autism Society;
- Texas Project First; the City of Houston; and
- Disabled World;
- International Journal of Disability Studies' a journal published in New Delhi, India, and devoted to disability, rehabilitation and human rights issues.

TCDD reviews progress on strategic communication goals quarterly. Staff report on materials produced, improved, and disseminated; note activities engaged in connect with and support other organizations as well as TCDD; and track data regarding website usage and social media metrics. The information is used to determine which strategies are the most successful and to inform the development of future strategies.

In FY 2012, TCDD was engaged with 29 legislators and executive officials on Facebook and Twitter. Three state legislators followed TCDD on Facebook and Twitter; and four state legislators have shared TCDD or TCDD grantee content via Twitter.

In September 2012, TCDD had 834 followers on Twitter (a 28% increase since October 2011) and 946 fans on Facebook (an increase of 31%). TCDD was mentioned 92 times by other Twitter users; organizations and individuals recommended following TCDD in 14 instances; there were 45 instances in which TCDD content was Re-Tweeted; and, in all, Twitter users who have referenced TCDD have more than 25,000 followers, meaning that TCDD content potentially reached more than 25,000 Twitter users.

In FY 2012, TCDD increased efforts to engage members of the public and to solicit public input. TCDD Public Information, Public Policy, and Planning staff worked together and with their respective Committees to develop possible strategies to encourage and support more public comment and input at TCDD business meetings. Council members were particularly interested in ways to encourage public input on Council activities in a way that allows a dialogue, not just brief comments, and discussed how TCDD might facilitate such participation in the future.

As a result, the Council held a public forum in conjunction with the May 2012 meeting, which was held in Dallas instead of the usual location of Austin. People were invited to share personal experiences with barriers to receiving culturally competent services/supports. Pre-event publicity included widespread

email announcements; use of social media; requesting the assistance of organizations in the area (including grantees); and working with relevant legislative offices. Announcements were provided in both English and Spanish. Six people signed-in and provided contact information at the event, and two used the simultaneous Spanish interpretation services arranged by TCDD. In total, there were approximately 10 members of the general public, nine TCDD staff members, and 14 TCDD Council members in attendance. A Council member facilitated the discussion, which was an open forum for comments or dialogue. Although there was a relatively small turnout, Council members were pleased with the results and the conversational tone of the forum. Some issues that emerged included language barriers, finding very limited availability of information, and resources in Spanish; attitudinal barriers that exacerbate language or cultural barriers; and transportation.

3D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

There has been no major change in history or changes to how functions have changed from the original intent that is not included in the general agency history section.

3E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

TCDD public information and strategic communications activities affect, directly and indirectly, the estimated 485,000 Texans who have developmental disabilities, their families, friends, and communities. In addition, the program affects agencies and organizations with whom the Council works.

3F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The TCDD Communications Coordinator supervises Public Information staff on communications activities with oversight of the Public Policy Director and Executive Director. Public Information staff also review various activities and strategies with the Public Policy Committee during quarterly meetings. In some instances, public information staff solicits recommendations for revisions from Council members in advance of the Council meeting when the item will be taken up by the Council. Public Information staff prepares drafts including staff and Council member revision recommendations for the Public Policy Committee to consider. The Public Policy Committee makes recommendations to the full Council for final consideration.

Month	Key Events/Milestones <i>(directly involving the Communications Coordinator)</i>	Associated Key Activities/Responsibilities <i>(direct accountability of the Communications Coordinator)</i>
January	Legislative session support; TCDD grantees (review proposals & continuations; provide technical assistance; media announcement of new projects)	Coordinate, create supporting materials for Session; provide public information-related input; media outreach
February	Legislative session support; quarterly Council meeting; TCDD grantees (review proposals & continuations; provide technical assistance; media announcement of new projects)	Coordinate, create supporting materials for Session; PI documents, reports for meetings; provide PI-related input; media outreach

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March	DD Awareness Month; Disability Employment Month; Legislative session support; TCDD grantees (review proposals & continuations; provide technical assistance; media announcement of new projects)	Create plan for building awareness; coordinate with other disability organizations; provide public information-related input; media outreach
April	Legislative session support; TCDD grantees (review proposals and continuations; provide technical assistance; media announcement of new projects)	Coordinate, create supporting materials for Session; provide public information-related input; media outreach
May	Legislative session support; quarterly Council meeting; TCDD grantees (review proposals and continuations; provide technical assistance; media announcement of new projects)	Coordinate, create supporting materials for Session; PI documents, reports for meetings; provide public information related input; media outreach
June	TCDD Higher Education Resource Guide work begins; TCDD grantees (review proposals & continuations; provide technical assistance; media announcement of new projects)	Research new info for Guide; coordinate public information staff work; provide public information-related input; media outreach
July	TCDD grantees (review proposals & continuations; provide technical assistance; media announcement of new projects)	Provide public information-related input; media outreach
August	Quarterly Council meeting; TCDD grantees (review proposals and continuations; provide technical assistance; media announcement of new projects)	Public information documents, reports for meetings; provide public information-related input; media outreach
September	Biennial Disability Report support; TCDD grantees (review proposals and continuations; provide technical assistance; media announcement of new projects)	Review, edit report; provide public information-related input; media outreach
October	Disability History Awareness Month; TCDD grantees (review proposals & continuations; provide technical assistance; media announcement of new projects)	Create plan for building awareness; coordinate with other disability organizations; provide public information-related input; media outreach
November	TCDD Annual Report work begins; quarterly Council meeting; TCDD grantees (review proposals and continuations; provide technical assistance; media announcement of new projects)	Create plan, coordinate public information staff work; public information documents, reports for meetings; provide public information-related input; media outreach
December	TCDD grantees (review proposals and continuations; provide technical assistance; media announcement of new projects)	Provide public information-related input; media outreach

3G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

All funds available to TCDD are federal funds authorized by the DD Act. TCDD does not receive any pass-through monies. Section 122 of the DD Act provides for state allotments to be determined for Councils each fiscal year on the basis of: 1) population; 2) the extent of the need for services for individuals with developmental disabilities; and 3) the financial need of the respective states and territories.

3H. Identify any programs, internal or external to your agency that provides identical or similar services or functions to the target population. Describe the similarities and differences.

TCDD is not aware of any known programs that provide similar or identical services or functions for individuals with developmental disabilities.

3I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

TCDD is not aware of other agencies or programs with similar functions or activities. See a more detailed reply to this answer in the Administrative Operations program area.

3J. If the program or function works with local, regional, or federal units of government, includes a brief description of these entities and their relationship to the agency.

The Public Information function coordinates with the Governor's Committee on People with Disabilities, state agencies and other disability organizations to complement one another's efforts and ensure there is no overlap in activities. TCDD often collaborates with these groups to form strategies for sharing information on important topics, celebrate state and national observances related to people with disabilities, and share resources and ideas.

The Public Information staff also work with peers at other state Developmental Disability Councils. This collaboration frequently shares best practices, learned lessons and to strategize public information activities around specific events and disability messaging.

3K. Contracted expenditures made through this program.

There are no contract expenditures made through the Public Information and Strategic Communication function. All contract expenditures are made in the Administrative Operations program area.

3L. Provide information on any grants awarded by the program.

There are no grants awarded by the Public Information and Strategic Communication function. See the Grants Management program area for discussion of all grants awarded by TCDD.

3M. What statutory changes could be made to assist this program in performing its functions? Explain.

There are no statutory changes that could be made to assist this program in performing its functions.

3N. Provide any additional information needed to gain a preliminary understanding of the program or function.

There is no additional information to provide.

3O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

There are no regulatory programs relating to licensing, registration, certification, or permitting of person, business or entity.

3P. For each regulatory program, if applicable, provides the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

TCDD does not have any regulatory responsibilities. There is no complaint information to be provided for this function.

4A. Provide the following information at the beginning of each program description.	
Name of Program or Function	Planning and Project Development
Location/Division	6201 E. Oltorf, Suite 600, Austin, Texas 78741
Contact Name	Joanna Cordry, Planning Coordinator
Actual Expenditures, FY 2012	See Section XII – Agency Comments
Number of Actual FTEs as of June 1, 2013	1
Statutory Citation for Program	42 U.S.C. 15001

4B. What is the objective of this program or function? Describe the major activities performed under this program.

This program supports the Council in its mission *to create change so that all people with disabilities are fully included in their communities and exercise control over their own lives.*

TCDD Planning and Project Development staff coordinate the long range planning process; research, develop and publish Requests for Proposals for grant projects; and report to AIDD on the progress made towards Council goals.

The DD Act outlines the philosophy, programmatic requirements, and activity guidelines that TCDD must follow. However, the 27 governor-appointed members of the Council itself make the decisions regarding TCDD activities as the governing board including the Goals, Objectives and Activities included in the Five Year State Plan, oversight of TCDD operations, and approval of potential projects.

The primary activities of planning and project development staff are to:

- Support the Council’s Project Development Committee to conduct business;
- Provide information and technical assistance to Council members to facilitate planning, project development and evaluation activities;
- Support the Council to develop, fund and monitor implementation of projects to explore innovative ideas and/or provide timely solutions to emerging needs;
- Provide information and technical assistance as appropriate to grantees and/or organizations applying for a grant from TCDD; and
- Coordinate development and submission of TCDD’s 5 Year State Plan, Annual Amendments, and the Annual Program Performance Report.

4C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

TCDD provides a narrative summary of accomplishments of this program in the Annual Program Performance Report.

In FY 2012, TCDD planning and project development staff:

- developed and posted six new Requests for Proposals (RFPs);
- held seven bidders’ teleconferences for 35 people to explain the RFP and TCDD’s philosophy, goals, and grant award processes;

Self-Evaluation Report

- facilitated three independent review panels and contracted with nine different reviewers to evaluate the proposals and provide funding recommendations to be considered by the TCDD; Executive Committee. Renewed RFP# 2012-3 for “Outreach and Development Projects,” an RFP with a rolling application date that had been temporarily suspended in FY2011;
- worked with grants and administrative staff to solicit proposals for and to contract with an organization (Circle of 10) to provide training and technical assistance to selected TCDD grantees to assist them in developing sustainability;
- revised TCDD’s grant proposal packet, the TCDD proposal review guides, and the review process to increase the level of detail and specificity of information provided to TCDD’s Executive Committee while streamlining the review process;
- participated on NACDD and AIDD workgroups; and
- provides support to staff of other DD Councils regarding reporting processes.

Planning and project development staff also work with other TCDD staff to assure that the Council has sufficient opportunity to hear from others who are knowledgeable about the types of activities in which the Council engages or intends to engage.

TCDD consistently submits its Five Year State Plan and Annual Program Performance Report on time and with zero compliance issues. TCDD regularly solicits feedback from stakeholders to be used in ongoing quality improvement efforts. The effectiveness of the planning function is reflected in the ability of the entire agency to continue to move towards its mission, to comply with all federal and state guidelines, and to assure that federal funds are awarded appropriately.

4D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

There has been no major change in history or changes to how functions have changed from the original intent that is not included in the general agency history section.

4E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The program affects, directly and indirectly, the estimated 485,000 Texans who have developmental disabilities, their families, friends, and communities. The Council does not provide direct services, and all individuals who have developmental disabilities and their family members (and/or friends) are eligible to participate in grant project activities. The Council has had grant projects in East Texas, North Texas/Panhandle, Far West Texas, South Texas, Central Texas, and the Gulf Coast. The majority of the Council’s projects have been in major metropolitan areas.

In addition, the program affects agencies and organizations that receive Council funds. In FY2012, the Council distributed funds through grants or contracts to the following types of agencies in the following amounts:

- State Agencies and Universities: \$834,777
- Non-Profit Organizations: \$2,160,979
- Other Organizations: \$346,977

4F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The two largest responsibilities of Planning and Project Development are supporting the Council to develop and submit a five year state plan to AIDD and to develop and initiate grant projects. The Council typically begins reviewing and considering a new State Plan approximately 18 months before it is due to AIDD. Grant projects are developed to further the goals and objectives in the state plan.

Supporting the Council to Develop a Five year State Plan

The DD Act provides a framework for how DD Councils develop State Plans, such as:

- The Plan must be developed through data driven strategic planning
- The Plan shall include goals for advocacy, capacity building, and systemic change
- The Plan must be derived from the unmet needs of individuals with developmental disabilities and their families
- The Plan must include a goal, for each year of the grant, to -
 - establish or strengthen a program for the direct funding of a State self-advocacy organization led by individuals with developmental disabilities;
 - support opportunities for individuals with developmental disabilities who are considered leaders to provide leadership training to individuals with developmental disabilities who may become leaders; and
 - support and expand participation of individuals with developmental disabilities in cross-disability and culturally diverse leadership coalitions.

To aid the Council in determining if they wish to draft an entirely new State Plan or make amendments to the current plan, staff provides the following information when the plan is reviewed:

- the current state plan, noting projects or activities that are in progress or close to being completed
- outcomes of, and lessons learned through grant projects and staff activities
- input from grantees, individuals benefitting from grant projects, and other stakeholders
- public comments that have been collected in various ways, as guided by the Council, concerning issues and concerns of individuals with developmental disabilities in Texas
- data collected from a variety of sources, including state and federal entities

The Council reviews this information, conducts a Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis, and then develops goals and objectives based on their findings. Staff posts the goals and objectives for public input for at least 45 days. The Council then reviews the input received and determines if they wish to make changes in response to public input received.

Staff are responsible for gathering the information, describing the process, drafting the background information for the plan, and submitting the plan to AIDD in a timely manner.

Supporting the Council to Develop and Initiate Projects

The Council or one of the Committees directs staff to develop proposed strategies to implement state plan goals and objectives. Staff draft an Executive Summary that specifies the goals, main activities, intended outcomes, the maximum funding amount per year, and the duration of each proposed project. That information assists the Council to decide whether or not to approve a specific project or activity. The Executive Summary also includes background information, a description of the proposed project or activity and the resources that will be needed to implement the project, and it reflects recommendations from Public Policy, Planning, Grants and Communications staff.

The Executive Summary, once approved by the Project Development Committee, is considered by the Sunset Advisory Commission

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Council. The version approved by the Council serves as the guide for staff to develop a Request for Proposal (RFP).

Staff develop the RFP from the information and language in the Executive Summary, using a pre-approved template. Public Policy, Planning, Grants and Communications staff all have an opportunity to provide input into the RFP as well as the Executive Summary. When completed and approved, the RFP and TCDD's proposal submission packet are posted on the TCDD's website, announced in the Texas Register, and publicized through other appropriate outreach strategies.

The RFP also includes dates and times for bidders' telephone conferences held for each RFP (via telephone conference) and the date by which questions must be submitted. Potential applicants are given approximately 4-6 weeks to ask questions; once all questions are submitted, staff post all questions and responses on the TCDD website and advise all people who have signed up for a teleconference or downloaded a proposal submission packet.

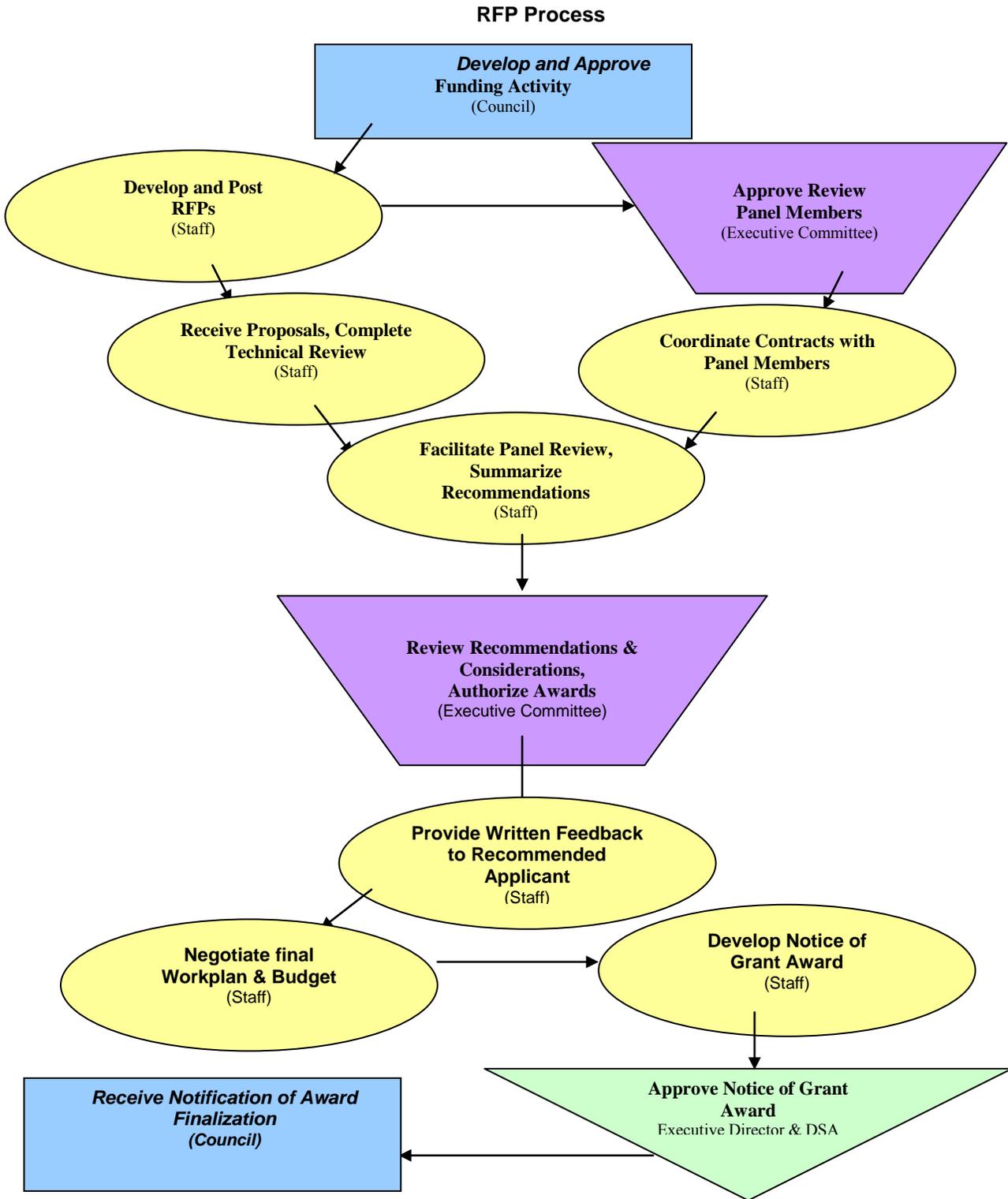
Staff develop a scoring guide based on the requirements listed in the RFP and the proposal submission packet. After the RFP has closed and proposals have been received, proposals are reviewed by an independent review panel, which consists of self-advocates and/or parents, as well as subject-matter experts who have been pre-approved by the Executive Committee to be in a "pool" of possible review panel members. Individuals directly connected with the Council or applicant organizations are not eligible to serve on the review panel; TCDD review panel members are selected from those individuals believed to be as objective as possible.

Panel members read and evaluate the proposals independently before coming together, either in person or via teleconference, to discuss their evaluations and rank all proposals. Staff summarize the panel's comments and recommendations for consideration by the Executive Committee.

Grants staff complete risk assessments of the highest ranked proposals and conduct a more thorough technical review of those viewed as fundable by the review panel. The Executive Director and senior staff from Grants, Public Policy, and Public Information/Communications also review the proposals recommended for funding and offer comments as appropriate. The panel's recommendations and any findings by TCDD staff are reviewed by the Council's Executive Committee. The Executive Committee makes the final decision of which applicants to approve for funding on behalf of the Council.

TCDD authorizes a project for a specific number of years (noted in the RFP), with annual grant awards reviewed on a non-competitive basis each year. Projects are generally authorized for 3 or 4 years. TCDD may on occasion authorize an additional project period when funding under the original award is completed, for projects that cannot be completed during the original authorization. TCDD has funded a few projects for 8-10 years overall with 2-3 different "authorizations". The DD Act expects grant projects to be time-limited, but does not have a specific number of years as a limit. However, the Council feels it appropriate to periodically review projects more thoroughly and generally solicits applications for a competitive review after 4-5 years.

The following flowchart illustrates the project development process.



Other Avenues for Project Development

Occasionally, TCDD may choose to employ a different mechanism through which to develop projects to implement the activities in the State Plan.

Requests for Ideas - TCDD also occasionally solicits "Requests for Ideas" when looking for innovative project ideas around a certain topic. Ideas submitted are considered only as suggestions for planning purposes, but project are not funded from these solicitations directly.

Unsolicited Ideas - In 2007, TCDD implemented a process through which the Project Development Committee reviews "Unsolicited Ideas" twice a year for possible development into a project.

Unsolicited Proposals - TCDD does not accept Unsolicited Proposals. Given the expectation in the DD Act that projects funded are strategies to implement the approved State Plan, the Council instead solicits proposals that address specific State Plan activities.

4G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

All funds available to TCDD are federal funds authorized by the DD Act. TCDD does not receive any pass-through monies. Section 122 of the DD Act provides for state allotments to be determined for Councils each fiscal year on the basis of population; the extent of the need for services for individuals with developmental disabilities; and the financial need of the respective states and territories.

4H. Identify any programs, internal or external to your agency that provides identical or similar services or functions to the target population. Describe the similarities and differences.

TCDD is not aware of any known programs that provide similar or identical services or functions for individuals with developmental disabilities.

4I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

TCDD is not aware of other agencies or programs with similar functions or activities. See a more detailed reply to this answer in the Administrative Operations program area.

4J. If the program or function works with local, regional, or federal units of government, includes a brief description of these entities and their relationship to the agency.

The Planning and Project Development function works with program staff from the federal Administration on Intellectual and Developmental Disabilities (AIDD) to ensure that planning procedures, the State Plan, and Annual Program Performance Reports (APPR) are all submitted on time and in compliance with requirements. In addition, TCDD's Planning and Project Development staff have worked on several workgroups led by AIDD, including a workgroup to update the format for the APPR and to develop new outcome measures.

TCDD Planning and Project Development staff also seek input from various state agencies and local and regional units of government when gathering information for the development of the State Plan and

associated projects. Staff provides technical assistance to staff from local, regional, and federal units of government as requested.

4K. Contracted expenditures made through this program.

There are no contract expenditures made through the Planning and Project Development function. All contract expenditures are made in the Administrative Operations program area.

4L. Provide information on any grants awarded by the program.

There are no grants awarded by the Planning and Project Development function. See the Grants Management program area for discussion of all grants awarded by TCDD.

4M. What statutory changes could be made to assist this program in performing its functions? Explain.

There are no statutory changes that could be made to assist this program in performing its functions.

4N. Provide any additional information needed to gain a preliminary understanding of the program or function.

There is no additional information to provide.

4O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

There are no regulatory programs relating to licensing, registration, certification, or permitting of person, business or entity.

4P. For each regulatory program, if applicable, provides the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

TCDD does not have any regulatory responsibilities. There is no complaint information to be provided for this function.

5A. Provide the following information at the beginning of each program description.	
Name of Program or Function	Grants Management
Location/Division	6201 E. Oltorf, Suite 600, Austin, Texas 78741
Contact Name	Sonya Hosey, Grants Management Director
Actual Expenditures, FY 2012	See Section XII – Agency Comments
Number of Actual FTEs as of June 1, 2013	5
Statutory Citation for Program	42 U.S.C. 15001

5B. What is the objective of this program or function? Describe the major activities performed under this program.

TCDD Grants Management activities support the Council in its mission *to create change so that all people with disabilities are fully included in their communities and exercise control over their own lives.*

The specific objectives of the Grants Management function are to monitor and provide technical assistance to grantees; and provide reports on the progress made towards Council goals.

The DD Act outlines the philosophy, programmatic requirements, and activity guidelines that TCDD must follow. However, the 27 governor-appointed members of the Council itself make the decisions regarding TCDD activities as a governing body, establish the operating budget, develop a Five Year State Plan, oversee TCDD operations, and approve grants and contracts.

The primary activities of grants management staff are to:

- Support the Project Development Committee and Executive Committee in conducting business.
- Provide information and technical assistance to grantees and/or organizations applying for a grant from TCDD to help grantees reach goals and to support use of best practices.
- Provide information and assistance to Council members to facilitate oversight of grant projects.
- Monitor grant projects to ensure that budgetary requirements are met and program activities are implemented as planned.
- Work with other staff to develop and implement strategies to maximize the impact of grantee projects.

Approximately 65-70% of the TCDD funds are awarded as grants each year to organizations that share the Council’s philosophy and mission to implement specific projects. A number of projects focus on providing leadership and advocacy training for people with disabilities, their family members, and other interested parties. Many graduates of these programs stay actively involved in public policy advocacy activities on a local, regional, or state level for many years. Some have become actively involved in national activities as well.

5C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

TCDD provides a narrative summary of accomplishments of this program in the Annual Program Performance Report.

In FY 2012, TCDD grants management staff provided support and oversight to approximately 40 different organizations conducting 44 different projects. Approximately 16 of these organizations were new to TCDD, never having had a grant from TCDD or having key staff who had not worked with TCDD previously. Key staff implementing these projects (at least 2 people per project) required intensive training on TCDD grants management procedures and reporting requirements. Of those 16, about 30% had no prior experience as a grant recipient; the majority of these required a significant level of ongoing support following the orientation and training. The high percentage of grantees that are new to TCDD is believed to be a direct result of concerted efforts to reach out to new organizations and the level of support that TCDD provide to all potential grant applicants to complete their proposals.

Twenty-seven new grant awards were processed, each requiring grants staff to negotiate with each grantee organization individually to assure that an acceptable workplan and budget were agreed to prior to the Notice of Grant Award being signed. Fifteen continuation grant awards were processed; each of these required review and comment by TCDD Communication staff, Public Policy Staff, and the Executive Director before being presented to TCDD's Executive Committee for approval. Nine project closeouts were completed; final reports are reviewed by Planning staff in addition to Grants and Public Policy staff.

The grants active in FY 2012 received varying levels of ongoing monitoring. TCDD determined the level of monitoring that a particular grant will receive by assessing risk using a matrix developed in collaboration with TCDD's Internal Auditor. The risk matrix, which is reviewed annually with TCDD staff and internal auditor, suggests monitoring strategies based on the grant award amount plus eight different characteristics of the grantee organization or the project design that might impact the level of intensity of monitoring needed.

The eight characteristics are: new grantee; award within an award; funding issues; compliance issues; performance issues; legal actions; fiscal office located out-of-state; and no audit prior to grant award. All grants require at minimum, an initial meeting and orientation with TCDD staff, TCDD approvals of certain activities and/or expenditures, regular reporting, and a final report. Grants are divided into four levels of monitoring strategies:

- Level 1 requires TCDD staff perform basic oversight functions to ensure supervisory and operating controls are in place;
- Level 2 requires TCDD staff perform oversight functions to ensure supervisory and operating controls are working;
- Level 3 requires that TCDD supervisory staff reporting to the Executive Director perform oversight function to ensure that supervisory and operating controls are working, and an independent review by a CPA is required; and
- Level 4 requires that audit work is performed, an audit desk review is performed by an independent contractor, and the TCDD Executive Director performs oversight via a quarterly report.

Monitoring strategies that are more intensive than are recommended by the matrix may be required if deemed necessary.

In FY 2012, approximately 32% of TCDD's grants were assessed as appropriate for Level 1 monitoring; 36% were assessed as appropriate for Level 2 monitoring; 11% were assessed as having "considerable risk" and thus being appropriate for Level 3 monitoring; and 20% were assessed as having "extensive risk" and requiring Level 4 monitoring.

Grants staff provided quarterly updates to the Council regarding grant awards and regular updates on progress or significant milestones reached. Staff also coordinated grantee presentations to the Council, and worked with grantees to coordinate visits to projects from Council members as well participation in project activities by Council members. In addition, grants staff worked with Communication, Public Policy, and Planning staff to provide technical assistance to grantees to maximize the impact of project achievements, and gather and provide information about grants activities as requested by AIDD, NACDD, state legislators and other policymakers, or other stakeholders as requested.

5D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

There has been no major change in history or changes to how functions have changed from the original intent that is not included in the general agency history section.

5E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

TCDD grants management activities affect, directly and indirectly, the estimated 485,000 Texans who have developmental disabilities, their families, friends, and communities. The Council does not provide direct services, and all individuals who have developmental disabilities and their family members (and/or friends) are eligible to participate in grant project activities. The Council has had grant projects in East Texas, North Texas/Panhandle, Far West Texas, South Texas, Central Texas, and the Gulf Coast. The majority of the Council's projects have been in major metropolitan areas.

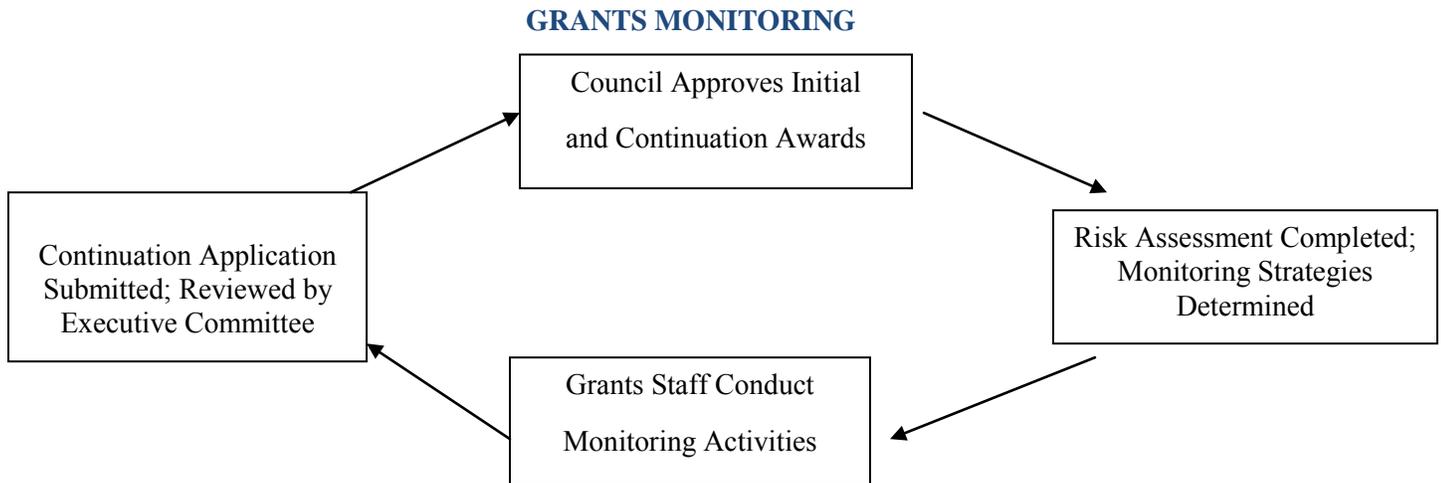
In addition, the program affects agencies and organizations that receive Council funds. In FY 2012, the Council distributed funds through grants or contracts to the following types of agencies in the following amounts:

- State Agencies and Universities: \$834,777
- Non-Profit Organizations: \$2,160,979
- Other Organizations: \$346,977

5F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Grants Management Director provides oversight of grants management activities and reports directly to the Executive Director. Grants staff receives guidance from the Council through the Executive Director. The Council approves the State Plan and Plan amendments, including projects and activities to implement the Plan; approves all funding activities to be initiated with grant funds; and approves new and continuation awards. To ensure the agency's mission and goals are achieved, grants staff coordinate monitoring and technical assistance activities for grant projects to assure compliance with federal, state, and TCDD regulations, policies and guidelines so that the grants programs meet the highest program and fiduciary standards. Grants staff is responsible for pre-award negotiations with applicants; programmatic and financial monitoring of grant projects; coordinate independent audit and financial review procedures; and coordinate jointly with project development staff grants application and review procedures.

The flowchart illustrates the process for administering the grant award.



5G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

All funds available to TCDD are federal funds authorized by the DD Act. TCDD does not receive any pass-through monies. Section 122 of the DD Act provides for state allotments to be determined for Councils each fiscal year on the basis of population; the extent of the need for services for individuals with developmental disabilities; and the financial need of the respective states and territories.

5H. Identify any programs, internal or external to your agency that provides identical or similar services or functions to the target population. Describe the similarities and differences.

TCDD is not aware of any known programs that provide similar or identical services or functions for individuals with developmental disabilities.

5I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

TCDD is not aware of other agencies or programs with similar functions or activities. See a more detailed reply to this answer in the Administrative Operations program area.

5J. If the program or function works with local, regional, or federal units of government, includes a brief description of these entities and their relationship to the agency.

TCDD grants management staff monitor and provide technical assistance activities for grant projects to assure compliance with federal, state, and TCDD laws, regulations, policies and guidelines. Grants staff maintain and update an online DD Grants Manual containing guidance for grantees consistent with federal, state and TCDD program and fiscal requirements. Grants staff conduct new grantee orientation

and training; monitors and reviews procedures for TCDD grantees, including on-site monitoring and technical assistance; follow-up regarding concerns or irregularities; and assists with training opportunities to TCDD funded projects concerning emerging best practices or programmatic concerns.

Grants management staff coordinates activities for grantee program and fiscal reporting and reimbursement procedures. Activities include reviews of all program and fiscal reports from grantees; resolution of issues or concerns identified in those reports; timely processing of requests for payment; and timely disposition of grantee requests for program revisions.

Grants management staff coordinates grantee annual independent audit and financial review procedures. These activities include yearly determination of appropriate financial review procedures; coordination of desk reviews of grantee independent audits and financial review reports; resolution of any compliance issues, concerns, and delinquent reports; and, reporting of financial review activities.

Grants management staff also coordinates grant project application and review procedures. These activities include coordination of application procedures and materials for new and continuation projects; procedures and materials for reviewing new and continuation grant projects; procedures for posting Requests for Proposals for new grant projects; grant award procedures, and filing of all grantee materials.

5K. Contracted expenditures made through this program.

There are no contract expenditures made through the Grants Management function. All contract expenditures are made in the Administrative Operations program area.

5L. Provide information on any grants awarded by the program.

TCDD allocates approximately 65-70% of available funds each year to grant projects that address Goals and Objectives in the approved State Plan. Those projects range in size from \$10,000 - \$250,000 with the average award being \$75,000. Grants are awarded for a one year period, unless extended for full liquidation of funds, with continuation awards reviewed on a non-competitive basis by the Council's Executive Committee for final authorizations. TCDD's usual budget year for grantees is June 1 – May 31, but grant budget years may vary based on individual circumstances.

TCDD grants management staff provided oversight and technical support to 46 projects plus 12 awards for "event stipends" during FY 2012 that addressed topics such as education, employment, building better communities, health and fitness, positive behavioral interventions and supports, leadership development, and local advocacy networks. Projects funded by TCDD are reflected in the Annual Program Performance Report included as SER Attachment 21 and a narrative summary of grant projects funded by TCDD is included in SER Attachment 21– TCDD Profiles of Grant Projects.

To improve educational success for students, TCDD funded one project that developed a model program which prepares prospective general education teachers to work more effectively with students with disabilities. The project created an accessible website with teaching videos, presentations, classroom activities for pre-service teachers and school administrators. This model was shared with a number of higher education teacher certification programs and institutions across Texas.

TCDD funded three higher education projects designed to help students with developmental disabilities succeed in college or technical school and reach their employment goals. These projects demonstrate new ways of providing support to individuals in higher education, ages 18-25 years. All three projects provide individualized supports to students, as well as work experiences through on-the-job training with local

businesses. The higher education programs prepare students for employment in health and human services and other meaningful employment opportunities.

Seven employment-related projects to increase complete employment, personal income and assets for Texans with disabilities were funded. Of those, two enabling technology projects promote employment opportunities by developing an interactive mobile application in inventory, requisitions, and shipping and receiving; and virtual job coach applications provide training on how to search and apply for a job. TCDD also funded self-employment projects to help emerging artists display and sell art; develop customized business plans for self-employment; and develop independent skills to handle money, obtain assistive technology and find appropriate housing.

TCDD funded projects that focus on educational activities that work with community leaders, organizations and businesses to enable them to support, include or provide services to people with developmental disabilities. One leadership and capacity building project helped other groups explore ways to increase their funding and community organizing skills by providing training on grant writing, capacity-building, partnerships, and community organizing. Four projects are funded to help religious communities learn to better support full inclusion of individuals with disabilities into faith communities through an annual interfaith symposium.

To prevent unnecessary admissions to institutions and increase a community's ability to provide services and support to individuals with developmental disabilities TCDD funded six projects aimed to improve people's health by enhancing their access to needed health care, behavior supports and respite. Two projects worked with school districts and settings that served children to improve behavior interventions and cultural competency skills of staff and teachers. Three TCDD projects helped increase access to fitness and recreational programs, improved health outcomes, and increased awareness of the importance of health and fitness program for people with disabilities. Individuals began to learn about the need to incorporate health and wellness into their lifestyles.

TCDD also funded projects that provide alternatives to guardianship; develop microboards; a conference to reduce stigma and help eliminate health disparities; and a project designed to help people with disabilities to develop meaningful relationships.

Twelve leadership and advocacy skills training projects were funded to provide culturally appropriate training for people with developmental disabilities. Three specialized training projects trained people on basic systems advocacy and advanced leadership skills. Six projects strengthen self-advocacy programs to improve public policy, self-advocacy, leadership skills, and to increase supports and opportunities for people with disabilities in the community as well as those living in a State Supported Living Center. Three projects expanded existing leadership development and advocacy skills training efforts while others provided advanced leadership development and advocacy skills, parent-to-parent mentoring component, and a statewide advocacy network.

Seven projects were awarded to assist TCDD to better understand the effect of cultural issues on services to help local communities provide culturally competent support to people with disabilities, and build relationships with organizations that are working to improve the lives of individuals from ethnic minority cultures. Through these projects students obtained information and resources to reach their academic goals and prepare for college; individuals received culturally appropriate training regarding special education advocacy, Medicaid waivers and guardianship; increased knowledge, resources and skills for raising children with developmental disabilities; hosted culturally appropriate resource fairs, conferences and awareness events; provided classes in nutrition and cooking at a community led event; promoted awareness concerning the barriers facing Asian families; and worked with families and providers to assist disability service providers in understanding the Latino-Hispanic cultures.

TCDD awarded twelve event stipend awards to organizations hosting conferences or training events to enable more than 300 individuals with developmental disabilities and their family members attend established in-state professional or informational conferences, workshops, seminars, or legislative advocacy skills training events. During FY 2012, attendees were provided information regarding best practices, technology, leadership, civil rights, and self determination; inclusive education practices; systems of health care and access; advocacy and disability-related issues; recovery, empowerment and inclusion in mental health; systematic techniques for treating autism and related disorders; best practices related to transition from school to work; and, special education law and Medicaid waiver programs.

5M. What statutory changes could be made to assist this program in performing its functions? Explain.

There are no statutory changes that could be made to assist this program in performing its functions.

5N. Provide any additional information needed to gain a preliminary understanding of the program or function.

There is no additional information to provide.

5O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

There are no regulatory programs relating to licensing, registration, certification, or permitting of person, business or entity.

5P. For each regulatory program, if applicable, provides the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

TCDD does not have any regulatory responsibilities. There is no complaint information to be provided for this function.

6A. Provide the following information at the beginning of each program description.	
Name of Program or Function	Administrative Operations
Location/Division	6201 E. Oltorf, Suite 600, Austin, Texas 78741
Contact Name	Martha Cantu, Operations Director
Actual Expenditures, FY 2012	See Section XII – Agency Comments
Number of Actual FTEs as of June 1, 2013	2
Statutory Citation for Program	42 U.S.C. 15001

6B. What is the objective of this program or function? Describe the major activities performed under this program.

The TCDD administrative operations activities aids in the support of the Council’s mission *to create change so that all people with disabilities are fully included in their communities and exercise control over their own lives.*

The major activities performed under this program area include:

- Management of administrative policy and procedures, rules and regulations for state and federal compliance.
- Oversight and coordination of personnel matters with the Texas Education Agency Human Resources support and supervision of staff.
- Management of fiscal and financial operations, including budgeting, accounting, procurement, and expenditures of both Administrative and Program dollars.
- Oversight of contracted internal auditing functions.
- Customer relations liaison with designated state agency, lease management, and vendors.
- Management of contract administration.
- Management of other activities including but not limited to Open Records, Records Retention, Inventory, and Risk Management.

6C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

In 2012, TCDD Administrative Operations staff successfully completed:

- Coordinated with Internal Auditor to update the annual Audit Risk Assessment and provide management input for the TCDD Internal Audit Plan, including coordinating a meeting of the Council’s Audit Committee to review audit documents and recommend Council approval of the FY 2012 Audit Report and FY 2013 Internal Audit Plan.
- Coordinated the TCDD Survey of Employee Engagement and coordinated follow-up staff training related to areas of concern.
- Monitored obligation of federal funds within first two years and liquidation within three years as allowed by federal law.
- Successfully managed administrative funds and stayed within approved budget for operational expenses.
- Participated in the selection process for the successful hiring of several key staff members; and assured that annual staff performance evaluations were conducted in a timely manner.

- Updated TCDD Operating Procedure to comply with changes in law and revisions of TEA Operating Procedures.
- Assured that TCDD was included in the Texas Education Agency's Business Continuity Plan.
- Provided oversight for TCDD contracts and assured that deliverables were met according to contract terms and within budget.
- Completed a SORM assessment and remedied any compliance issues.

6D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

There has been no major change in history or changes to how functions have changed from the original intent that is not included in the general agency history section.

6E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

This program directly affects TCDD staff, Council Members, the designated state agency, vendors, lease management, and other state agency or organizations with who the agency conducts business.

6F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The TCDD Administrative Operations program is administered through oversight of the Executive Director and the Operations Director, with some oversight of the Executive Committee and Council.

- The Council approves annual operating expense budgets and reviews quarterly expenditure updates.
- Budgets are managed through TEA's accounting system and protocols (ISAS).
- The DD Act allows Council's to obligate funds within two years and liquidate within three years. TCDD monitors three concurrent fund years.
- Administrative procurements are coordinated through TEA processes and procedures.
- Administrative contracts are coordinated through TEA processes and procedures.
- TCDD contracts for independent audit services. The Auditor reports to the Council through the Audit Committee.
- TCDD does not have field or regional offices.

6G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

All funds available to TCDD are federal funds authorized by the DD Act. TCDD does not receive any pass-through monies. Section 122 of the DD Act provides for state allotments to be determined for Councils each fiscal year on the basis of population; the extent of the need for services for individuals with developmental disabilities; and the financial need of the respective states and territories.

6H. Identify any programs, internal or external to your agency that provides identical or similar services or functions to the target population. Describe the similarities and differences.

TCDD is not aware of any known programs that provide similar or identical services or functions for individuals with developmental disabilities.

6I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

TCDD is not aware of other agencies or programs with similar functions or activities. There is no duplication of efforts or conflict of interests concerning TCDD activities on behalf of individuals with developmental disabilities.

Both the DD Act and state law required the designed state agency to enter into a Memorandum of Understanding with the DD Council if requested by the Council. TCDD and the Texas Education Agency (TEA) jointly developed a Memorandum of Understanding describing the responsibilities of TEA in providing administrative services and supports for TCDD in the agency's role as the "designated state agency" (DSA). Consistent with requirements for the Council's DSA in law, TEA is responsible to receive, account for and disburses funds for activities as approved by TEA and provides budget, salary, human resources, procurement, information technology and other administrative services for TCDD.

TCDD also has an Interagency Agreement with the Attorney General's office to provide legal consultation.

6J. If the program or function works with local, regional, or federal units of government, includes a brief description of these entities and their relationship to the agency.

The Administrative Operations program area works directly with the Texas Education Agency, its designated state agency, through a Memorandum of Understanding to provide administrative support. TCDD also works via an Inter-agency contract with the Attorney General's Office to provide legal consultation. In the past TCDD has entered in to other Inter-agency contracts with other Health and Human Service agencies to provide data for our Annual Performance Report and/or Biennial Report.

6K. If contracted expenditures are made through this program please provide:

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2012;
- the number of contracts accounting for those expenditures;
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

All TCDD contracted services are negotiated with the assistance of the Texas Education Agency's Purchasing and Contracts Division that assists TCDD with the contract administration process and prepares written contracts for signature by both parties. TCDD/TEA uses a Standard Contract when contracting for professional services where the amount of the contract is \$5,000 or higher or when the professional services were obtained through a bid process using a Request for Proposal or Request for

Qualifications. TCDD/TEA use a Personal Service contract for other purchased services when the amount of the contract will be less than \$5,000 and/or the services were obtained by three written quotes.

In 2012, TCDD contracted for the following services:

- **Financial and Accounting Services:** Three contracts were finalized under this category. 1) Rupert & Associates provided internal audit services, including a written internal audit plan, risk assessment, internal audit reports, and quality assurance activities; 2) Mikeska, Monahan & Peckham provided desk review audits of annual independent audits or financial reviews submitted by TCDD grantees; and 3) David MacCabe provided a peer review (quality assurance review) of TCDD's internal auditor. The total expended amount for these three contracts was \$29,537.50.
- **Temporary Employment Agencies:** One contract with TIBH to provide temporary employment services for a Web Administrator. The total expended amount was \$33,600.08 and was for seven months until the vacancy was filled.
- **Computer Programming Services:** Two contracts were finalized under this category: 1) MIS Sciences Corp provided web hosting services; and 2) Massachusetts DD Council provided technical assistance and collaboration on a web-based application for DD Councils. The total expended amount was \$4,800.
- **Other Professional Services:** This includes three categories of other services: 1) Independent Review Panels conducted review of grant proposals submitted in response to TCDD Requests for Proposals; 2) attendants were contracted to provide personal assistance services for two council members with disabilities to assist with their participation in council meetings; and 3) speakers provided professional information, consultation and guidance to the Council and committees. The total expended amount for these services was \$11,473.55
- **Purchased Contracted Services** include contracts for Security Services (Tyco), Cleaning (TIBH), and Materials Translation (Total Documentation). The total amount expended for these combined categories was \$12,145.
- **Building Rentals:** Two separate contracts were finalized in this category: 1) Kennedy Wilson for the office lease space; and 2) Various hotels to secure meeting space and audio-visual equipment for quarterly Council and Committee meetings. The total expended amount for this category was \$62,202.
- **Legal Services:** TCDD contracts with the Office of the Attorney General for legal consultation. The total expended amount was \$649.18.

The methods used to assure accountability for funding and performance, include:

- TCDD follows the procurement and contracting procedures of the Texas Education Agency.
- TEA provides guidance and review of all contracts negotiated for TCDD.
- The Council approves any administrative contracts that exceed \$10,000.
- The Operations Director for TCDD is the contract administrator for all administrative contracts and oversees the compliance of contract terms, the acceptance of contract deliverables, and the monitoring of contract funds to remain within contract budget.
- TCDD also completes the following on all professional contracts: 1) Contract renewal form; 2) Contract Performance Evaluation; 3) Contract Risk Assessments; 4) Contract Close Out; and Lessons Learned,

TCDD does not have any current contract problems.

6L. Provide information on any grants awarded by the program.

There are no grants awarded by the Administrative Operations function. See the Grants Management program area for discussion of all grants awarded by TCDD.

6M. What statutory changes could be made to assist this program in performing its functions? Explain.

There are no statutory changes that could be made to assist this program in performing its functions.

6N. Provide any additional information needed to gain a preliminary understanding of the program or function.

There is no additional information provided here.

6O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

There are no regulatory programs relating to licensing, registration, certification, or permitting of person, business or entity.

6P. For each regulatory program, if applicable, provides the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

TCDD does not have any regulatory responsibilities. There is no complaint information to be provided for this function.

VIII. Statutory Authority and Recent Legislation

A. Fill in the following chart, listing citations for all state and federal statutes that grant authority to or otherwise significantly impact your agency. Do not include general state statutes that apply to all agencies, such as the Public Information Act, the Open Meetings Act, or the Administrative Procedure Act. Provide information on Attorney General opinions from FY 2009 – 2013, or earlier significant Attorney General opinions, that affect your agency’s operations.

Texas Council for Developmental Disabilities Exhibit 12: Statutes/Attorney General Opinions	
Statutes	
Citation/Title	Authority/Impact on Agency (e.g., A provides authority to license and regulate nursing home administrators@)
Developmental Disabilities Assistance and Bill of Rights Act - 42 U.S.C. 15001	Authorizes funding for states to establish a state developmental disabilities council and establishes requirements for the Council and program. Requires states to establish a state protection and advocacy system to qualify for funds for the state developmental disabilities council.
Chapter 112 Human Resources Code V.T.C.A.	State Law which establishes a developmental disabilities program consistent with applicable federal law, the Developmental Disabilities Assistance and Bill of Rights Act; and provides for the Council to meet quarterly in regular session and on the call of the Chair when necessary for the transaction of Council business.
Attorney General Opinions	
Attorney General Opinion No.	Impact on Agency
Attorney General Opinion JC-0161	Clarifies that TCDD is a state agency and finds that TCDD can carry-out its responsibility to serve as an advocate and its authority to provide information to policymakers without engaging in activities that rise to the level of lobbying activities as defined in Texas Government Code. TCDD may not use appropriated funds to influence the passage or defeat of a legislative measure.

B. Provide a summary of recent legislation regarding your agency by filling in the chart below or attaching information already available in an agency-developed format. Briefly summarize the key provisions. For bills that did not pass, briefly explain the key provisions and issues that resulted in failure of the bill to pass (e.g., opposition to a new fee, or high cost of implementation).

There has not been any legislation directly affecting TCDD introduced in recent Texas Legislatures.

Texas Council for Developmental Disabilities Exhibit 13: 83rd Legislative Session Chart		
Legislation Enacted – 83rd Legislative Session		
Bill Number	Author	Summary of Key Provisions
N/A	N/A	N/A
Legislation Not Passed – 83rd Legislative Session		
Bill Number	Author	Summary of Key Provisions/Reason the Bill Did Not Pass
N/A	N/A	N/A

IX. Major Issues

Policy Issue No. 1: Support for Self Advocacy

A. Brief Description of Issue

TCDD is required by federal law to engage in activities that support self advocate groups in the state, leadership and advocacy training for self advocates, and to promote self advocacy (“Self advocate,” used in this context, refers to an individual who has an intellectual or other developmental disability). TCDD’s mission incorporates these aspects of self advocacy: to create change so that all individuals with disabilities can participate fully in their communities and have control over their own lives. However, creating such change can be difficult for various reasons including:

- disagreement exists regarding the definition of “self advocate” and “self advocate organization”,
- relatively few self advocate organizations are established as entities that can legally receive and manage funding,
- little ongoing funding is available to support operational costs for self advocate groups,
- guardianship laws, inaccurate assumptions about people with developmental disabilities and a lack of resources sometimes prevent people from serving in leadership roles for which they are otherwise qualified.

B. Discussion

TCDD has awarded grant funds to numerous organizations for leadership development and advocacy skills training projects. However, some self advocates feel that only organizations led and run by self advocates are legitimate self advocacy organizations. As such, they feel that funds awarded for activities to increase self advocacy should be granted only to entities that are run and led solely by self advocates. Compounding this issue, disagreement exists among self advocates and others about the definition of a “developmental disability.” Some suggest that people only with certain diagnoses can be considered as being a person with a developmental disability. For example, some believe that individuals whose primary disability is mental illness are not considered to have a developmental disability and should not be served by TCDD grants. However, Congress has provided specific guidance that individuals with mental illness can be considered to have a developmental disability if they otherwise meet the definition in the DD Act. Others believe that any person who has an intellectual disability – regardless of their abilities and capabilities – is a person with a “developmental disability” even though the DD Act is clear that individuals with developmental disabilities have significant deficits in at least three areas of major life activities. Some people consider family members or parents of a person with developmental disabilities to be a “self advocate.”

Most self advocate groups, however they are defined, have difficulty finding consistent and flexible funding to maintain their organizations. Nationally, the total operating budgets of self-advocacy organizations are extremely low, often dependent on short-term funding streams, and vulnerable to cuts. Very few states have secured enough funding for a paid executive director for a state self-advocacy organization. Self advocates also have concerns about top-down approaches and about depending on funding sources that may require certain activities and not allow others.

TCDD has funded numerous self-advocacy skill development projects, using the federal definition of DD and guidance from Congress. However, because the funds must be provided to an established entity that can meet certain requirements, organizations receiving funding typically are not entities that are run and lead solely by self advocates. Also, TCDD funding is tied to certain activities that might not be the activities for which self advocacy organizations desire funding, and TCDD does not provide funding for

ongoing operations or activities of an unspecified nature.

C. Possible Solutions and Impact

The Rehabilitation Act, Individuals with Disabilities Education Act (IDEA), Americans with Disabilities Act, and U.S. Supreme Court Olmstead decision have provided a generation of self-advocates and their families with greater opportunities, rights, and expectations for full inclusion in all aspects of community life. The movement continues to evolve and change as younger self-advocates enter and share their experiences.

TCDD works to ensure that self-advocates are included in the design of their services. Self-advocates are increasingly able to represent themselves and their peers on statewide advisory bodies to offer valuable stakeholder input, and TCDD provides funding for travel expenses of self-advocates and family members appointed to some state advisory entities to support their active participation. Self-advocates, including self-advocates with intellectual disabilities, are included in the membership of TCDD. However, programs in some areas that strongly encourage guardianship for individuals who have disabilities means that some people who would be strong candidates for membership on an advisory or policymaking board might be unable to serve since their guardianship status means that they are not legally able to represent themselves. Additionally, many individuals who have developmental disabilities could not afford to serve on statewide advisory board if their expenses were not reimbursed by the sponsoring state agency.

TCDD has awarded many grants to self-advocacy organizations to promote leadership and advocacy by self-advocates, and TCDD always expects that individuals with developmental disabilities and family members of individuals with developmental disabilities will serve in leadership roles in grant projects. TCDD also funds, or intends to fund the projects to:

- Recruit, advertise and provide administrative support to promote self-advocates as speakers and facilitators at Texas conferences;
- Host and provide technical support for the Advocacy U, a self-advocate website;
- Develop and conduct activities to increase the widespread use of the Advocacy U website;
- Provide support to grassroots community organizing activities conducted by self-advocates;
- Demonstrate a volunteer self-advocate support project as an alternative to guardianship for individuals with intellectual disabilities; and
- Provide leadership and advocacy training to individuals with developmental disabilities and their families.

It would be extremely beneficial if additional opportunities to serve in leadership roles were made available to people who have received training through TCDD projects. TCDD has no doubt that programs and agencies would benefit from the input and work of this part of their constituency.

TCDD recommends that Texas state entities promote and support self-advocacy in any way possible. For example, TCDD hopes that:

- The Governor's Appointments Office continues to place a high priority on appointing well-qualified individuals who are self-advocates serve on the Council and in other governor-appointed positions.
- The Texas Legislature consider studying ways in which current guardianship laws may inappropriately exclude qualified people from participating on advisory or policymaking boards.
- The Texas Legislature direct state entities whose constituents include individuals who have developmental disabilities to fully include self-advocates on advisory boards. This would include non-health and human service agencies such as the Texas Department of Housing and Community Affairs and the Texas Department of Transportation.

Self-Evaluation Report

- State entities offer additional training or support to self advocates who are on their advisory boards to encourage full participation.
- State-funded programs that offer leadership and/or management training (including training provided to youth) be directed to recruit and support the full participation of people with developmental disabilities in their programs.

Additionally, any efforts on behalf of state entities and/or the Texas Legislature to support the development of additional self advocacy groups that are run and led by self advocates (of all ages) would be beneficial.

Policy Issue No. 2: Competing Stakeholder Priorities

A. Brief Description of the Issue

Although advocates for people with disabilities agree on the vast majority of issues that affect all persons with disabilities, there are occasions where disability advocates and developmental disabilities advocates disagree, as well as occasions when various advocates for people with developmental disabilities do not agree with each other. This results in confusion when one group's position is applied to all people with disabilities and conflict when the Council's position is contrary to the wishes of overlapping stakeholders. In addition, the Council has received feedback previously that TCDD should address the needs of all people with disabilities, rather than just those with "developmental disabilities" as well as feedback that the Council should support the positions of advocates who support institutional placement of people with disabilities.

B. Discussion

The DD Act provides a definition of "developmental disability" that is not based on specific diagnoses or labels. TCDD focuses its advocacy and grant funds toward improving systems used by persons with developmental disabilities. Frequently, this work overlaps with work being done by and for the community made up of seniors and persons with physical disabilities, persons with disabilities that occurred after the person's 21st birthday, or persons with disabilities that do not cause significant impairment in three areas of functioning (as is required by the federal definition of developmental disabilities). Research indicates that a significant disability that occurs to the developmental period of life generally has a more significant impact on learning than a traumatic onset disability that occurs later in life. However, the federal definition of developmental disability in the DD Act was conceptualized in the mid-1970's. Since that time, advances in medical technology allow lives to be saved at accident scenes resulting in significant increases in the number of individuals living in communities across the state and country with substantial, long-term impairments that are a result of a traumatic brain injury or spinal cord injury. That their accident occurred before or after the age of 21 has little impact on the type and nature of services and supports they need to remain active in community life. The age of onset for a developmental disability in the DD Act may seem to some like an arbitrary line in the sand, but to others it is still a key factor particularly as it impacts the typical developmental process for children that enhance their ability to represent themselves as capable self advocates.

Federal funds available to TCDD are subject to the requirements of the DD Act. Councils are expected to gather public input about the unmet needs of individuals who are considered as having a developmental disability as described by the definition in the Act. Those issues and concerns are the basis for developing the required State Plan. The DD Act allows Councils to initiate activities that benefit a larger group of constituents so long as those activities clearly benefit individuals that meet the definition of developmental disabilities in the Act. The DD Act also clearly states that Councils are to support

individuals with developmental disabilities to exercise self-determination, be independent, be productive, and be integrated and included in community life.

Additionally, many fail to understand the unique positions of various disability advocacy organizations because the groups frequently work together and because it is expected that all people with disabilities agree on issues that affect them. Some stakeholders inappropriately speak on behalf of everyone with disabilities, despite the awareness that there are those that do not wish to be included.

C. Possible Solutions and Impact

TCDD's mission in part is to ensure that people with developmental disabilities are given opportunities to speak for themselves. Sometimes advocates and advocacy groups will express different viewpoints.

Again, although some conflict is inherent, advocates work together collegially on a number of workgroups and committees. TCDD continues to support education and advocacy efforts relating to the unique needs of persons with developmental disabilities and their families, as well as those of the broader disability community. For example, a TCDD grant supported the creation of the Disability Policy Consortium and funded it for a number of years; and although some organizations expressed concerns about whether it could be sustained when grant support for DPC was concluded, DPC activities have continued as a "consortium" effort of member organizations.

The purpose and responsibilities of TCDD could be revised to focus on a broader role related to individuals with disabilities, not only those with developmental disabilities. However, those activities would require additional funds for TCDD beyond federal funds currently available pursuant to the DD Act. A solution that would not require additional funding would be for agencies setting policy to seek input from a diverse group of stakeholders who have different types of disabilities and/or a cross-disability group such as the DPC.

Policy Issue No. 3: Long Term Funding of Successful Projects

A. Brief Description of Issues

Some TCDD grantees have expressed frustration that their grants are time limited. They are concerned that their grants end just when the project is fully implemented and that this isn't enough time to realize the benefits of the program and plan for sustainability.

B. Discussion

The DD Act expects TCDD grants to be time-limited. Projects are funded to incubate and test new ideas; establish new programs, services, and supports; or create permanent change in existing systems. The DD Act precludes Council's from funding long-term services or ongoing activities. Grantees are required to develop a plan for sustainability from the project's initiation through the life of the grant. However, this knowledge does not limit the frustration of grantees when grant funding concludes. TCDD has funded a number of successful projects that were unable to achieve sustainability. Despite substantial satisfaction with project outcomes, the Council's role is not to provide long-term funding since doing so would be contrary to the systems change intent of the Act.

C. Possible Solutions and Impact

TCDD is currently funding an organization to assist grantees to plan for and achieve sustainability. The outcomes of this effort are currently unclear. We are not aware of changes to statute that would ameliorate this issue without requiring additional state appropriations.

Policy Issue No. 4: Travel Reimbursement

A. Brief Description of Issue

Numerous advisory bodies are established in state law to provide input to agencies on issues impacting people with disabilities. However, many of these advisory bodies lack authority to reimburse travel expenses for public members to participate.

B. Discussion

TCDD has provided funds since FY 2000 to support travel of approximately 20 public members to participate on about 24 state level advisory committees, councils, and workgroups that focus on issues of importance to individuals with developmental disabilities. This support recognizes the importance of individuals with disabilities and their families to participate in policy discussions about the services and programs that impact their lives. It recognizes the impact of a disability on the financial resources of the individual and their family, thereby limiting their ability to provide meaningful input as a totally volunteer effort. TCDD funding approval is intended to support self advocates or their family members for their travel so that they can participate as members of advisory bodies that are established by statute, approval of agency's governing board, or authorization of the agency head. TCDD expects these public members to be appointed by the agency chief of the sponsor state agency.

TCDD initiated this effort following a difficult state fiscal period, expecting this financial support for travel expenses to be temporary. However, legislative approval to reimburse travel expenses for public members for most of these important advisory committees has not occurred. In some instances, the sponsoring agency has been reluctant to request additional authorization for travel expenses at least in part due to concerns that the legislature might dissolve the opportunity for stakeholder input.

Additionally, the federal government expects meaningful public input into most federally funded programs including Medicaid.

C. Possible Solutions and Impact

The Texas Legislature and the agencies need to reaffirm the importance of including public members with disabilities and their families as active participants on agency advisory committees and workgroups and authorize funds necessary for travel support for those members. If such cannot be accomplished in a single measure, a phase-in plan should be initiated.

Texas funds only limited travel for advisory committees. The Legislature should re-evaluate which public members should receive travel reimbursement. Representatives of many state associations could be supported by those organizations, allowing state resources to assist public members without such support, including low-income persons with disabilities.

Policy Issue No. 5: Public Input About TCDD Activities and Priorities

A. Brief Description of Issues

TCDD at times receives concerns about how public input is solicited and used in setting priorities.

B. Discussion

TCDD has adopted Rules in Texas Administrative Code indicating that opportunities for public comments will be provided at each Council and Committee meeting (§876.11 (b)). Agendas for each Council and Committee meeting include an item for public comments. Comments are generally limited to three minutes per commenter but more time may be allowed at the discretion of the Chair. Individuals may also request, in advance, consideration of a presentation or discussion item by the Council or Committee. The public may also provide input to TCDD through the TCDD website at www.tcdd.texas.gov, via focus and stakeholder groups, by U.S. Mail or email, or through Facebook or Twitter.

TCDD solicits input on certain topics or at certain times to inform Council or Committee discussions. As a part of the process to develop the FY 2012-2016 State Plan, TCDD solicited input through one-on-one conversations with individuals; attending public events (such as a community center picnic and resource fairs); conducting focus groups; meeting with self-advocacy groups; distributing online and paper surveys; and reviewing input gathered by other DD Network partners. The Council also views unsolicited ideas submitted by the public; information, resource, and referral calls; reports from grantees; information provided by Council members; and available data as “public input” that is used in developing an understanding of critical issues and unmet needs in the State while developing State Plan Goals and Objectives.

All Council and Committee discussions about future State Plan activities take place in open meetings that are announced in advance on the Council’s website and by other means. Proposed amendments to the State Plan are posted for public comments for at least 45 days prior to final action. TCDD maintains an electronic subscription service through which individuals or organizations may sign up to receive announcements of meetings and other important events.

Even so, TCDD receives concerns at times from public members who do not feel they had adequate information about how to provide input concerning Council activities, or from individuals who do not feel some decisions fairly represent critical issues and preferences of individuals with developmental disabilities.

In other instances, organizations that do not share TCDD’s values oppose positions taken by the Council. For example, a parent organization that supports State Supported Living Centers (SSLC) is opposed to some of the positions taken by the Council. Specifically, they disagree with the Council’s support for a moratorium on admissions to SSLCs until they reach substantial compliance with the Department of Justice Settlement Agreement, sustainability measures that would rebalance the system of long term services and supports and efforts to educate SSLC residents about opportunities for community living. The Council supports the position that all people with disabilities should have access to the services and supports they need to live in the community. The Council also supports the position that the state of Texas must allocate the requisite resources to support community living for people with disabilities and that the state must rapidly expand the availability of individualized community options, and transition individuals in state institutions to community living. These positions are firmly girded in the tenets of the DD Act. Although some organizations disagree with the Council on some issues, the Council maintains respect for individual experiences and TCDD staff work collegially with PART stakeholders in a number of venues.

C. Possible Solutions and Impact

TCDD has approved funding for various projects that are intended to enhance the ability of persons with DD to provide public input to the Council and to other entities, including:

- Providing support to promote self-advocates as speakers and facilitators at Texas conferences;
- Hosting Advocacy U, a self advocate website;

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- Initiating activities to increase the use of the Advocacy U website;
- Providing support to community organizing activities conducted by self-advocates; and
- Providing leadership and advocacy training to individuals with developmental disabilities and their families.

TCDD will continue to use social media, email and website strategies to inform the public about TCDD activities and opportunities to provide input about TCDD priorities and activities. Additionally, TCDD recognizes that other organizations may at time have different perspectives. TCDD welcomes input but considers positions within the context of the values and principles inherent in the DD Act regarding community options.

X. Other Contacts

A. Fill in the following chart with updated information on people with an interest in your agency, and be sure to include the most recent e-mail address.

Interest Groups

Disability Rights of Texas

Mary Faithfull, Executive Director
2222 West Braker Lane
Austin, Texas 78758
Tel: 512-454-4816
Fax: 512-323-0902
<http://www.disabilityrightstx.org/contact>

The Arc of Texas

Amy Mizcles, LMSW, Executive Director
8001 Centre Park Drive
Austin, TX 78754
Tel: 512-454-6694 & 800-252-9729
Fax: 512-454-4956
<http://www.thearcoftexas.org>

Coalition of Texans with Disabilities

Dennis Borel, Executive Director
316 W. 12th Street, Ste. 405
Austin, TX 78701
Tel: 512-478-3366
Fax: 512-478-3370
info@txdisabilities.org
<http://www.txdisabilities.org/>

Texas State Independent Living Council

Regina Blye, Director
Austin Resource Center for Independent Living
5555 N. Lamar Blvd., #J-103
Austin, TX 78751
Tel: 512-371-7353
Fax: 512-371-7370
<http://www.txsilc.org>

Hogg Foundation

Colleen Horton, Program Officer
Lake Austin Centre
3001 Lake Austin Blvd., 4th floor
Austin, TX 78703-4200
Tel: 512-471-5041
Fax: 512-471-9608
<http://www.hogg.utexas.edu>

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ADAPT of Texas

Bob Kafka, Organizer
1640A E 2nd Street, Ste. 100
Austin, TX 78702-4412
v/tty: 512-442-0252
Fax: 512-442-0522
<http://adaptoftexas.org>

Mental Health America of Texas

Lynn Lasky Clark, Executive Director
1210 San Antonio Street, Suite 200
Austin, TX 78701
Tel: 512-454-3706
Fax: 512-454-3725
<http://www.mhatexas.org>

Texas Advocates

Shaun Bickley
8001 Centre Park Drive
Austin, TX 78754
Tel: 800-252-9729, ext.12
Fax: 512-454-4956
http://arctx.convio.net/site/PageServer?pagename=TXA_homepage

National Alliance on Mental Illness Texas

Kent A. Reynolds, Executive Director
Fountain Park Plaza III
2800 S. I-35, Suite 140
Austin, TX 78704
Tel: 512-693-2000 & 800-633-3760
Fax: 512-693-8000
<http://www.namitexas.org>

Center for Public Policy Priorities

Anne Dunkelberg, Associate Director
7020 Easy Wind Drive, Suite 200
Austin, TX 78752
Tel: 512-320-0222
Fax: 512-320-0227
<http://forabettertexas.org/about.html>

Governor's Committee on People with Disabilities

Angie English, Executive Director
P O Box 12428
1100 San Jacinto
Austin, TX 78701
Tel: 512-463-5739
Fax: 512-453-5745
<http://www.governor.state.tx.us/disabilities>

Texas Center for Disability Studies

Penny Seay, PhD, Executive Director
Texas Center for Disability Studies
University of Texas at Austin, L4000
Commons Learning Center
10100 Burnet Road
Austin, Texas 78758-4445
Tel: 512-232-0745 & 800-828-7839
TTY: 512-232-0762
Fax: 512-232-0761
<http://tcds.edb.utexas.edu>

Center on Disability and Development

Mike Benz, PhD, Center Director
Texas A&M University
Dept. of Educational Psychology
4225 Texas A&M University
College Station, TX 77843-4225
Tel: 979-845-4612
Fax: 979-862-1256
<http://cdd.tamu.edu>

Community Now!

Joe Tate
1640A East 2nd Street, Suite 100
Austin, TX 78702
<http://communitynowfreedom.org>

Down Syndrome Association of Central Texas

Gerard Jimenez, Programs Chair
3710 Cedar Street, Box 3
Austin, TX 78705
Tel: 512-323-0808
Fax: 512-451-3110
<http://dsact.com>

Private Providers Association of Texas (PPAT)

Carole Smith, Executive Director
8711 Burnet Road, E-53
Austin, TX 78757
Tel: 512-452-8188
Fax: 512-458-3078
ppat100@aol.com
<http://www.ppat100.com>

Providers Alliance For Community Services of Texas (PACSTX)

Kathy Griffith
Tel: 512-479-0425
<http://pacstx.org>

Texans Care for Children

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Josette Saxton, Mental Health Policy Associate
811 Trinity, Ste. A
Austin, TX 78701
Tel: 512-473-2274
Fax: 512-473-2173
<http://texanscareforchildren.org>

Texas Council of Community Centers, Inc.

Danette Castle, Chief Executive Officer
Westpark Building 3, Suite 240
8140 N. Mopac Expressway
Austin, TX 78759
Tel: 512-794-9268
Fax: 512-794-8280
<http://www.txcouncil.com>

Texas Parent to Parent

Laura Warren, Executive Director
3710 Cedar St., Box 12
Austin, TX 78705-1449
Tel: 512-458-8600 & 866-896-6001
Fax: 512-451-3110
<http://www.txp2p.org/contactus/index.html>

Liaisons at Other State Agencies

Texas Health and Human Services Commission

Kyle Janek, Executive Commissioner
Frank Genco, Council Representative
HHSC Headquarters
Brown-Heatly Building
4900 N. Lamar Blvd.
Austin, TX 78751-2316
Tel: 512-424-6500
<http://www.hhsc.state.tx.us>

Department of Aging and Disabilities

Jon Weizenbaum, Commissioner
Jeff Kaufmann, Council Representative
DADS Headquarters
701 W. 51st Street
Austin, TX 78751
Tel: 512-438-3011
<http://www.dads.state.tx.us>

Department of State Health Services
David L. Lakey, M.D., Commissioner
Manda Hall, MD, Council Representative
DSHS Headquarters
1100 W. 49th Street
Austin, TX
Tel: 512-776-2567
<http://www.dshs.state.tx.us/>

Department of Assistive and Rehabilitative Services
Debra Wanser, Commissioner
Sara Kendall, Council Representative
DARS Headquarters
4800 N. Lamar Blvd.
Austin, TX 78756
Tel: 512-424-4156 & 800-628-5115
Fax: 512-424-4730
<http://www.dars.state.tx.us>

Texas Department of Housing and Community Affairs
Timothy Irvine, Executive Director
Brooke Boston, Deputy Executive Director
221 East 11th Street
Austin Texas 78701
Tel: 512.475.1762
TDD: 512-463-3323 & 800-735-2989
<http://www.tdhca.state.tx.us>

Texas Education Agency
Michael Williams, Commissioner
William B. Travis Building
1701 N. Congress Avenue
Austin, TX 78701
Tel: 512-463-9734
Fax: 512-463-9838
<http://www.tea.state.tx.us/>

Legislative Budget Board (LBB)
Lindsay Littlefield
Agency Performance Review Team
P.O. Box 12666
Capitol Station
Austin, TX 78711
Tel: 512-463-1174
<http://www.lbb.state.tx.us/>

Attorney General of Texas

George Noelke
300 W. 15th Street
Austin, TX 78701
Tel: 512-463-2100
Fax: 512-475-2994
<https://www.oag.state.tx.us>

National Associations

Consortium of Developmental Disabilities Councils

Sharon Tipton, CDDC Coordinator
2971 Crescent Shores Drive
Traverse City, MI 49684
Tel: 616-922-2995
Fax: 616-922-8161
Info@CDDC.com

Ed Burke
Office of Governmental Relations
9305 Forest Haven Drive
Alexandria, VA 22309
Tel: 703-780-1225
Fax: 703-780-0223
epbcdcc@aol.com

National Association of Councils of Developmental Disabilities (NACDD)

Claire Mantonya, President
Executive Director, Utah Developmental Disabilities Council
1825 K Street, NW, Suite 600
Washington DC 20006
Tel: 202-506-5813
Fax: 202-506-5846

Association for Individuals with Developmental Disabilities (AIDD)

P O Box 10486
Glendale, CA 91209-3486
Tel: 818-937-6594
Fax: 818-244-2489

XI. Additional Information

A. Texas Government Code, Sec. 325.0075 requires agencies under review to submit a report about their reporting requirements to Sunset with the same due date as the SER. Include a list of each report that the agency is required by statute to prepare and an evaluation of the need for each report based on whether factors or conditions have changed since the statutory requirement was in place.

TCDD is required to prepare a biennial disability report, jointly with the Office for the Prevention of Developmental Disabilities, on “the state of services to persons with disabilities in this state” and submit to the Governor, Lt. Governor, Speaker of the House, and Executive Commissioner of Health and Human services by December 1 of each even-numbered year. (Tex. Gov. Code Ann. § 531.0234 (West 2013)) This Biennial Disability Report is expected to include recommendations concerning:

- (1) fiscal and program barriers to consumer friendly services;
- (2) progress toward a service delivery system individualized to each consumer based on function needs;
- (3) progress on the development of local cross-disability access structures;
- (4) projections of future long-term care service needs and availability; and
- (5) consumer satisfaction, consumer preferences and desired outcomes.

Requirements for the Biennial Disability Report were included in S.B. 374 passed by the 76th Legislature (99 (R)) relating to the provision of certain long-term care services, to the continuation and functions of the Texas Department on Aging, and to the eventual consolidation of the Texas Department of Human Services and the Texas Department on Aging into a new agency on aging and disability services. As part of that measure, the Texas Department on Aging and the Texas Department of Human Services were jointly required to jointly conduct statewide needs assessment for long-term care services as part of the State Plan required under the Older Americans Act. The Biennial Disability Report was seen as a companion related to service and support needs of individuals with disabilities. Subsequent Legislatures have reorganized the structure of health and human services in Texas under the Health and Human Services Commission. As such, the requirements for the Biennial Disability Report are largely redundant with responsibilities of the Health and Human Services Commission in its Strategic Plan and needs assessment processes.

B. Has the agency implemented statutory requirements to ensure the use of "first person respectful language"? Please explain and include any statutory provisions that prohibit these changes.

Yes, TCDD and other disability organizations recommended passage of the People First/Respectful Language Bill adopted by the 82nd Texas Legislature in HB 1481. That measure was designed to eliminate the “R-word” from state statutes, policies and materials in recognition of the importance of respecting the person and not focusing on the disability. TCDD has endeavored to use People First language in all printed materials for more than 20 years and requests DD funded grantees to also use People First language in all materials. No statutory changes are needed to support TCDD’s work or efforts.

C. Fill in the following chart detailing information on complaints regarding your agency.

Texas Council for Developmental Disabilities Exhibit 15: Complaints Against the Agency — Fiscal Years 2011 and 2012		
	FY 2011	FY 2012
Number of complaints received	0	0
Number of complaints resolved	N/A	N/A
Number of complaints dropped/found to be without merit	N/A	N/A
Number of complaints pending from prior years	0	0
Average time period for resolution of a complaint	N/A	N/A

D. Fill in the following chart detailing your agency’s Historically Underutilized Business (HUB) purchases.

TCDD follows the guidelines of TEA in regards to HUB goals. TCDD does not have a separate HUB plan. The data listed below for HUB purchases were pulled from TEA’s HUB data from the Comptroller’s website.

Texas Council for Developmental Disabilities Exhibit 16: Purchases from HUBs FISCAL YEAR 2010					
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Goal *	Statewide Goal
Heavy Construction	0	0	N/A	N/A	11.9%
Building Construction	0	0	N/A	N/A	26.1%
Special Trade	0	0	N/A	N/A	57.2%
Professional Services	\$53,870	\$30,120	N/A	N/A	20.0%
Other Services	\$55,467	0	N/A	N/A	33.0%
Commodities	\$20,499	0	N/A	N/A	12.6%
TOTAL	\$129,836	\$30,120			

FISCAL YEAR 2011					
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Goal	Statewide Goal
Heavy Construction	0	0	N/A	N/A	11.9%
Building Construction	0	0	N/A	N/A	26.1%
Special Trade	0	0	N/A	N/A	57.2%
Professional Services	\$54,103	\$23,978	N/A	N/A	20.0%
Other Services	\$48,277	0	N/A	N/A	33.0%
Commodities	\$9,497	0	N/A	N/A	12.6%
TOTAL	\$111,877	\$23,978			

FISCAL YEAR 2012					
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Goal	Statewide Goal
Heavy Construction	0	0	N/A	N/A	11.2%
Building Construction	0	0	N/A	N/A	21.1%
Special Trade	0	0	N/A	N/A	32.7%
Professional Services	\$80,060	\$30,223	N/A	N/A	23.6%
Other Services	\$48,834	0	N/A	N/A	24.6%
Commodities	\$19,803	0	N/A	N/A	21.0%
TOTAL	\$148,697	\$30,223			

E. Does your agency have a HUB policy? How does your agency address performance shortfalls related to the policy? (Texas Government Code, Sec. 2161.003; TAC Title 34, Part 1, rule 20.15b)

TCDD follows the HUB policy of the Texas Education Agency, the designated state agency. Information regarding the TEA's HUB policy can be found at <http://ritter.tea.state.tx.us/tea/hub/>

TCDD remains committed to utilizing and assisting HUBs in providing equal opportunities to compete for all procurements. TEA's good faith efforts to broaden HUB participation include the following:

- Co-sponsored Project Build. The Project Build program was developed in an effort to provide HUBs with key education and training, unique to state government contracting. By providing education and training efforts, the group's ultimate goal is to better prepare HUBs for bidding directly or subcontracting on state government contracts.
- Provided a list of HUBs by NIGP class and item as requested by prime vendors to locate potential subcontractors to respond to competitive proposals, offers etc.
- Sponsored three Mentor-Protégé partnerships
- Hosted and co-hosted several HUB Regional Economic Opportunity Forums to provide procurement opportunities to the minority, woman-owned and small vendor business community
- Attended other business opportunity conferences, spot bid fairs, and forums sponsored by minority chambers and organizations throughout Texas
- Provided seminars to minority chambers on how to "Write a Winning Proposal"
- Facilitated HUB vendor presentations for the Agency staff to increase awareness of viable HUB vendors
- HUB staff actively participated in the statewide HUB Discussion Workgroup (HDW) meetings which is comprised of Purchasers and HUB Coordinators from state agencies and public universities throughout Texas
- Developed reporting procedures and provided training for prime contractors for inclusion of second and third tier HUB subcontractors in agency contracts
- Maintain a HUB page on the Agency's website where vendors may learn about the HUB Program HUB

F. For agencies with contracts valued at \$100,000 or more: Does your agency follow a HUB subcontracting plan to solicit bids, proposals, offers, or other applicable expressions of interest for subcontracting opportunities available for contracts of \$100,000 or more? (Texas Government Code, Sec. 2161.252; TAC Title 34, Part 1, rule 20.14)

TCDD does not have any administrative contracts valued at \$100,000 or more. TCDD follows the HUB subcontracting policy for soliciting bids and proposals outlined by the Texas Education Agency’s HUB policy at <http://ritter.tea.state.tx.us/tea/hub/>

G. For agencies with biennial appropriations exceeding \$10 million, answer the following HUB questions.

TCDD does not receive biennial appropriations exceeding \$10 million.

H. Fill in the chart below detailing your agency’s Equal Employment Opportunity (EEO) statistics.¹

**Texas Council for Developmental Disabilities
Exhibit 17: Equal Employment Opportunity Statistics**

FISCAL YEAR 2009

Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	1	0	7.5%	0	21.1%	0	37.5%
Professional	13	31%	9.7%	8%	18.8%	100%	53.3%
Technical	1	0	13.9%	100%	27.7%	0	53.9%
Administrative Support	2	0	12.7%	0	31.9%	100%	67.1%
Service Maintenance	0	0	14.1%	0	49.9%	0	39.1%
Skilled Craft	0	0	6.6%	0	46.3%	0	6.0%

FISCAL YEAR 2010

Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	1	0	7.5%	0	21.1%	0	37.5%
Professional	13	23%	9.7%	8%	18.8%	100%	53.3%
Technical	1	0	13.9%	100%	27.7%	100%	53.9%
Administrative Support	2	0	12.7%	0	31.9%	100%	67.1%
Service/Maintenance	0	0	14.1%	0	49.9%	0	39.1%
Skilled Craft	0	0	6.6%	0	46.3%	0	6.0%

¹ The Service/Maintenance category includes three distinct occupational categories: Service/Maintenance, Para-Professionals, and Protective Services. Protective Service Workers and Para-Professionals are no longer reported as separate groups. Please submit the combined Service/Maintenance category totals, if available.

FISCAL YEAR 2011							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	1	0	8.99%	0	19.5%	0	39.4%
Professional	11	27%	11.33%	10%	17.4%	100%	59.14%
Technical	0	0	14.16%	0	21.63%	0	41.47%
Administrative Support	2	0	13.57%	0	30.53%	100%	65.52%
Service/Maintenance	0	0	14.68%	0	48.18%	0	40.79%
Skilled Craft	0	0	6.35%	0	47.44%	0	4.19%

I. Does your agency have an equal employment opportunity policy? How does your agency address performance shortfalls related to the policy?

TEA has OP 07-17, a non-discrimination policy that addresses equal employment opportunities. TEA addresses performance shortfalls related to OP 07-17 in making a concerted effort to recruit and ensure the availability of applicants from diverse groups as candidates for consideration and the best-qualified individuals for every vacant position.

Vacancies are announced through advertisement of postings at the TEA agency website, the TEA agency bulletin board, the Work-in-Texas website, and at times, advertising vacancies in local newspapers, professional, trade, and industry publications, as deemed necessary. In addition, if needed, TEA will attend job fairs to recruit in major markets. TEA does include the "Equal Opportunity Employer" statement on recruitment literature and advertising.

TEA is the designated state agency for TCDD. TEA handles administrative functions, such as Human Resources for TCDD. TCDD follows the same guidelines for addressing equal employment opportunities.

XII. Agency Comments

Provide any additional information needed to gain a preliminary understanding of your agency.

A. Information Regarding Internal Audits

TCDD had an internal audit performed by Jaye Stepp, CPA, CGAP. The Internal Audit Report was completed October 8, 2012 and it was conducted in accordance with the Institute of Internal Auditor's *International Standards for the Professional Practice of Internal Auditing*, the Government Accountability Office, *Government Auditing Standards*, and the Texas Internal Auditing Act. The annual internal audit plan is risk-based, with specific audit areas and objectives determined after an annual risk assessment update conducted by management and the internal auditor. The annual audit found minimal requirements for improvement in the areas addressed and noted that prior observations and recommendations had been met.

Pursuant to the Texas Internal Act, audits of an agency's accounting system and controls, administrative systems and controls, electronic data processing systems and controls, and other major systems and controls should be performed annually. In addition, *Standards for the Professional Practice of Internal Auditing* requires five additional types of audits that include reliability and integrity of information, compliance with policies and procedures, laws and regulations, safeguarding of assets, economical and efficient use of resources, and accomplishment of established objectives and goals for operation and programs be conducted. The internal Audit Plan and Risk Assessment performed in 2009 included auditing of contract administration and management and information technology.

History of Internal Audits at TCDD

2002	Grants Administration
2003	Grants Manual Compliance Review and TRC Performance Audit Review
2004	Follow-up on MATRS Review Findings, Grantee Risk Assessment Model Development, and Electronic Grants Manual Review
2005	Grantee Risk Assessment Model Evaluation, Grantee Records Maintenance Process, Fraud Prevention and Reduction Policy, Administrative & Project Development Procedures
2006	Control Environment Evaluation, Grantee Expenditure monitoring, Public Policy Processes and controls, Administrative Policies and Procedures
2007	Grantee Monitoring Onsite Review Process, Internal Administrative Operating Procedures, and Grantee Reporting Database Development (DD Suite)
2008	Grantee Audit Desk Review Process, Internal Controls over Financial Reporting to Council,
2009	and Grantee Records Management Process (database and hard copy files)
2010	Information Security TAC 202
2011	Grantee Monitoring
2012	Funds Monitoring and Quality Assurance Review

B. Information Regarding Funds Allocations

TCDD receives an annual allotment from the U.S. Department of Health and Human Services, Administration on Intellectual and Developmental Disabilities. Consistent with procedures of TEA as designated state agency, each fiscal year's allotment is separated via a Fund Source Abstract into three main areas:

- 1) \$50,000, or approximately 1% of the total allotment, is allocated to TEA for "the functions of the designated state agency" as allowed by provisions of the DD Act for the DSA's responsibilities to provide fund accounting and administrative oversight of TCDD administrative activities consistent with the Memorandum of Understanding between TCDD and TEA;
- 2) Approximately 30%-34% is allocated each year for "administrative operations", which includes salaries and benefits for TCDD's 17 full time positions, professional service contracts, in-state and out-of-state travel for TCDD staff and Council members, building rental expenses including lease for TCDD offices and rental of hotel space for quarterly Council meetings, various occupancy expenses including utilities, computer and AV rental, supplies, and other operating expenses that are required and/or necessary to run the agency;
- 3) Approximately 65% - 69% of TCDD funds each year are allocated to various grant projects per the approved State Plan.

Section VI - Organization, Item E of this report lists TCDD's key programs and functions. These have been summarized in six separate functions within the organization. While the primary purpose of the entire agency and all 17 staff positions, is to support the Council and its mission, each function area, with its FTE's, has separate functions and activities. Salaries and benefits for all TCDD staff and associated travel and other expenses are not separated for each function area in this report since that data is not easily extracted from the accounting expenditure information. For this report, TCDD salaries and benefits, and other costs associated with staff functions are instead reported under the Administrative Operations function. All funds allocated for grant funded projects are included with the grants management function of this report.

C. Information Regarding Definition of Developmental Disabilities

Definition of Developmental Disability

Developmental Disabilities Assistance and Bill of Rights Act of 2000 (Public Law 106-402)

DEVELOPMENTAL DISABILITY.—

(A) IN GENERAL. -- The term 'developmental disability' means a severe, chronic disability of an individual 5 years of age or older that--

(i) is attributable to a mental or physical impairment or combination of mental and physical impairments;

(ii) is manifested before the individual attains age 22;

(iii) is likely to continue indefinitely;

(iv) results in substantial functional limitations in 3 or more of the following areas of major life activity--

(I) Self-care;

(II) Receptive and expressive language;

(III) Learning;

(IV) Mobility;

(V) Self-direction;

(VI) Capacity for independent living; and

(VII) Economic self-sufficiency; and

(v) reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are lifelong or extended duration and are individually planned and coordinated.

(B) INFANTS AND YOUNG CHILDREN. – An individual from birth to age 9, inclusive, who has a substantial developmental delay or specific congenital or acquired condition, may be considered to have a developmental disability without meeting 3 or more of the criteria described in clauses (i) through (v) of subparagraph (A) if the individual, without services and supports, has a high probability of meeting those criteria later in life.

[Title I, Sec. 102 (8)]

Attachment 1 – Enabling Statute

- A. Human resource Code, Chapter 112. Developmental Disabilities
- B. 42 USC, Chapter 144 – Developmental Disabilities Assistance and Bill of Rights

Attachment 2 – Annual Reports Published by TCDD for FY 2008-2012

- A. FY 2008 Annual Report
- B. FY 2009 Annual Report and Calendar
- C. FY 2010 Annual Report
- D. FY 2011 Annual Report
- E. FY 2012 Annual Report

Attachment 3 – Internal Newsletters Published by TCDD from FY 2011 – 2012

- A. TCDD FYI, February 2011
- B. TCDD FYI, May 2011
- C. TCDD FYI, August 2011
- D. TCDD FYI, November 2011
- E. TCDD Monthly E-News, February 2011

Attachment 4 – List of Publications and Brochures Describing TCDD

- A. 2011 Accomplishments and Activities
- B. Become a Council Member
- C. TCDD Resources available from TCDD
- D. What is the Council? Who serves on the Council?
- E. Higher Education, 2012 Resource Guide for Students with Disabilities

Attachment 5 – List of Studies that the Agency is Required to do by Legislation or Riders

- A. 2012 Biennial Report

Attachment 6 – List of Legislative or Interagency Studies Relating to the Agency that are being Performed during current interim

TCDD does not have any Legislative or Interagency studies.

Attachment 7 – List of Studies from other States, the Federal Government or National Groups/Associations that Relate to or Affect the Agency or Agencies with Similar Duties or Functions

- A. Rising Expectations.

Attachment 8 – Biographical Information of Policymaking Body Members

- A. Council members' vita

Attachment 9 – Agency's most Recent Rules

- A. Title 40 – Social Services and Assistance; Part 21. Texas Council for Developmental Disabilities; Chapter 876. General Provisions; 40 TAC §876.3, §876.4

Attachment 10 – Agency's Legislative Appropriations Request for FY 2014-2015

- A. Legislative Appropriations chart

Attachment 11 – Annual Financial Reports for FY 2010-2012

TCDD does not have any annual financial reports

Attachment 12 – Operating Budgets for FY 2011-2013

- A. TCDD Operating Budget FY 2011
- B. TCDD Operating Budget FY 2012
- C. TCDD Operating Budget FY 2013

Attachment 13 – Map Illustrating Regional Boundaries, Headquarters, Locations, or Field Offices

TCDD has one physical location, no map is provided.

Attachment 14 – Quarterly Performance Reports Completed by the Agency in FY 2010-2012

TCDD does not have any Quarterly Performance Reports.

Attachment 15 – Recent Studies on the Agency or Studies on its Functions Conducted by Outside Management Consultants or Academic Institutions

- A. Survey of Employee Engagement 2012

Attachment 16 – Agency’s Internal Audit Plan

- A. Internal Audit Plan 2013

Attachment 17 – Agency’s State Plan

- A. TCDD Five Year State Plan for Year 2013

Attachment 18 – Internal Audit Reports from FY 2009 – 2013

- A. Internal Audit Report FY 2009
- B. Internal Audit Report FY 2010
- C. Internal Audit Report FY 2011
- D. Internal Audit Report FY 2012

Attachment 19 – State Auditor Reports from FY 2009 – 2013

TCDD does not have any State Auditor Reports

Attachment 20 – Customer Service Surveys

- A. Individual Consumer Satisfactory Survey

Attachment 21 – Grantee Profiles

- A. Profiles of Grant Projects, June 2013
- B. Profiles of Grant Projects, October 2012

Attachment 22 – Definition of Developmental Disabilities

- A. Developmental Disabilities Assistance and Bill of Rights Act of 2000 (Public Law 106-402)